

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

400A0289

SENATE RETIREMENT LAWS COMMITTEE

ENGROSSED NO. **SB32** - 1/30/97

Introduced by: The Committee on Retirement Laws at the request of the South Dakota Retirement System

1 FOR AN ACT ENTITLED, An Act to grant credited service to certain members of the South  
2 Dakota Retirement System.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That subdivision (24) of § 3-12-47 be amended to read as follows:

5 (24) "Credited service,"

6 (a) Years of service, or fractions thereof, for which member contributions were  
7 made to the system;

8 (b) Years of noncontributory service, or fractions thereof, credited prior to July 1,  
9 1974, previously credited under the provisions of the retirement systems  
10 consolidated pursuant to § 3-12-46;

11 (c) Any period of authorized leave of absence or sick leave with pay for which  
12 deductions for member contributions are made, deposited, and credited to the  
13 fund;

14 (d) Any period of authorized leave of absence or sick leave without pay or

1 temporary layoff, during or for which a member obtained credit by payments  
2 to the fund made in lieu of salary deductions;

3 (e) Any period during which a member is on an authorized leave of absence to  
4 enter military service, ~~provided that~~ if the member returns to public service  
5 upon discharge from military service;

6 (f) Years of service, or fractions thereof, by faculty and administrators employed  
7 by the Board of Regents prior to April 1, 1964, credited pursuant to  
8 §§ 3-12-69.4 and 3-12-69.5;

9 (g) Years of noncontributory service, or fractions thereof, earned prior to July 1,  
10 1967, but not credited under the South Dakota public employee retirement  
11 system as it was consolidated pursuant to § 3-12-46 because the person earned  
12 the service prior to attaining the age of thirty. ~~Such~~ The service shall be  
13 credited only to those persons who are contributing members on July 1, 1987.  
14 No service may be credited pursuant to this subsection to any member who has  
15 withdrawn ~~his~~ the member's accumulated contributions after July 1, 1967; and

16 (h) Years of noncontributory service, or fractions thereof, earned by a member  
17 from July 1, 1967, to June 30, 1974, inclusive, but not credited under the  
18 South Dakota public employee retirement system because of the age and  
19 service restrictions established under that system.

20 If the conditions described in § 3-12-122 occur and benefit reductions are necessary  
21 to correct those conditions, the credited service granted by this subdivision may be  
22 reduced or eliminated;

23 Section 2. That chapter 3-12 be amended by adding thereto a NEW SECTION to read as  
24 follows:

25 Any increase in a retired member's benefit as a result of the provisions of section 1 of this Act

1 shall be prospective only from the effective date of this Act.

2 Section 3. That chapter 3-12 be amended by adding thereto a NEW SECTION to read as

3 follows:

4 Any member who, pursuant to the provisions of § 3-12-83, has purchased a portion or all

5 of the member's noncontributory service described in subsection (h) of subdivision (24) of

6 § 3-12-47 is entitled to a refund of such purchase cost.

1 **BILL HISTORY**

2 January 14 - First read in Senate and referred to Retirement Laws. S.J. 17

3 January 28 - Scheduled for hearing.

4 January 28 - Passed as amended, AYES 5, NAYS 0. S.J. 206