

20:16:18:10. Disability pension. An employee is entitled to a disability pension if the employee meets all the following requirements:

- (1) Has become totally disabled on or after the date this plan became effective;
- (2) Has completed at least three years of credited service;
- (3) Retires from active employment with the commission; and
- (4) Has been approved for and receives a disability benefit under the federal Social Security Act.

The last day of active employment shall coincide with or follow the date Social Security designates as the first day of total disability. If the last day of active employment was before the date Social Security designates as the first day of total disability, the terminated employee is not eligible for a disability pension.

The board may, at any time, require evidence of continued entitlement to a disability benefit.

Source: 28 SDR 109, effective February 11, 2002; 36 SDR 207, effective July 1, 2010; 40 SDR 197, effective May 27, 2014.

General Authority: SDCL 3-12-222.

Law Implemented: SDCL 3-12-218, 3-12-219.