

20:16:19:16. Conversion of disability pension to normal retirement pension at retirement age. When a person who is receiving a disability pension reaches normal retirement age, or at a later date if there are no eligible children, the person's disability pension shall be terminated. Thereafter the person shall receive the pension payable for normal retirement at that age, calculated on the credited service the person would have accrued to age 65 and earnings projected at two percent per calendar year not compounded. The earnings will be increased each January 1 starting with the first January subsequent to the date of disability. In no event, however, may the recomputed pension be greater than the disability pension payable to the employee without eligible children under this provision.

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.