

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 207 be amended to read as follows:

- 1 Page 4, between lines 21 and 22, begin a new paragraph and insert:  
2 "SECTION 4. IC 5-10.2-4-8.2 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 8.2. (a)  
4 Notwithstanding section 8 of this chapter, if a member who is receiving  
5 retirement benefits is elected or appointed to an elected position  
6 covered by this article, the member shall file a written, irrevocable  
7 election with the board to continue or discontinue retirement benefits  
8 while the member holds the elected position.  
9 (b) If a member:  
10 (1) is elected or appointed to an elected position and:  
11 (A) becomes at least fifty-five (55) years of age; and  
12 (B) completes at least twenty (20) years of service; or  
13 (2) is serving in any other position covered by this article and:  
14 (A) becomes at least ~~seventy-five (75)~~ **seventy (70)** years of  
15 age; and  
16 (B) completes at least twenty (20) years of service;  
17 while holding the position, the member may file a written, irrevocable  
18 election to begin receiving, while holding the position, retirement  
19 benefits to which the member would be entitled by age and service. A  
20 member who does not make the irrevocable election while holding the  
21 position is entitled to retroactive payments to cover any period from the  
22 date the member qualifies to make the election under this subsection  
23 to the date the member files the election under this subsection.  
24 (c) The form and content of an election shall be prescribed by the

1 board. If the member elects to discontinue receiving retirement  
2 benefits, the member shall make contributions as required in  
3 IC 5-10.2-3-2. If the member elects to continue or begin receiving  
4 benefits:

5 (1) the member may continue to make contributions under  
6 IC 5-10.2-3-2 but is not required to do so; and

7 (2) the member waives the accrual of service credit and the right  
8 to any supplemental benefit from service in the position, except  
9 to the extent that the value of the accrual of additional service  
10 credit and any supplemental benefit exceeds the actuarial value of  
11 the benefits received under this chapter and that were continued  
12 or begun pursuant to an election under this section.

13 (d) Except to the extent of the liability for any additional benefit  
14 accrued under subsection (c)(2), the employer shall make the  
15 employer's contribution only for past service liability based on the  
16 salary for the position of a member who elects under subsection (a) or  
17 (b) to continue or begin receiving retirement benefits.

18 (e) Section 10 of this chapter applies to a member who elects under  
19 subsection (a) to discontinue receiving retirement benefits. Section 10  
20 of this chapter does not apply, while the member holds a position  
21 covered by this article, to a member who elects under subsection (a) or  
22 (b) to continue or begin receiving retirement benefits."

23 Renumber all SECTIONS consecutively.

(Reference is to ESB 207 as printed February 22, 2002.)

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Representative Hasler