

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 242

Introduced by Karpisek, 32; Wallman, 30.

Read first time January 13, 2009

Committee: Nebraska Retirement Systems

A BILL

1 FOR AN ACT relating to the Nebraska State Patrol Retirement Act;
2 to amend section 81-2025, Reissue Revised Statutes of
3 Nebraska; to change the mandatory retirement age to
4 sixty-five years of age; to provide an operative date; to
5 repeal the original section; and to declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-2025, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 81-2025 (1) Every officer who has been in the employ of
4 the state as such and who becomes disabled and physically unfit to
5 perform the duties of an officer shall be entitled to retire and
6 receive an annuity as provided by law.

7 (2) Every officer who has been in the employ of the state
8 as such for ten years or more, as calculated in section 81-2033,
9 and has attained the age of fifty years or more shall be entitled
10 to retire and receive an annuity as provided by law. The right to
11 retire at the age of fifty years shall be at the option of the
12 officer but such retirement shall be mandatory upon the officer
13 attaining the age of ~~sixty~~ sixty-five years.

14 (3) Any officer who has attained the age of ~~sixty~~
15 sixty-five years upon his or her separation from state service but
16 who has not been in the employ of the state for ten years as such
17 shall be entitled to the annuity as provided for in the Nebraska
18 State Patrol Retirement Act.

19 (4) Every officer who has been in the employ of the state
20 as such for twenty-five years or more, as calculated in section
21 81-2033, and has attained the age of fifty years shall be entitled
22 to retire and receive an annuity as provided by law. The right to
23 retire at the age of fifty years with twenty-five years or more of
24 creditable service shall be at the option of the officer but such
25 retirement shall be mandatory upon the officer attaining the age of

1 ~~sixty~~ sixty-five years.

2 (5) Every officer who has been in the employ of the state
3 as such for thirty years or more, as calculated in section 81-2033,
4 shall be entitled to retire and receive an annuity as provided by
5 law. The right to retire with thirty years or more of creditable
6 service shall be at the option of the officer but such retirement
7 shall be mandatory upon the officer attaining the age of ~~sixty~~
8 sixty-five years.

9 (6) Payment of any benefit provided under the act may
10 not be deferred later than April 1 of the year following the
11 year in which the officer has both attained at least age seventy
12 and one-half years and terminated his or her employment with the
13 Nebraska State Patrol.

14 (7) The effective date of retirement payments shall be
15 the first day of the month following (a) the date a member
16 qualifies for retirement as provided in this section or (b) the
17 date upon which a member's request for retirement is received on
18 an application form provided by the system, whichever is later. An
19 application may be filed no more than ninety days in advance of
20 qualifying for retirement.

21 (8) The board shall make reasonable efforts to locate
22 the officer or the officer's beneficiary and distribute benefits by
23 the required beginning date as specified by section 401(a)(9) of
24 the Internal Revenue Code and the regulations issued thereunder. If
25 the board is unable to make such a distribution, the account shall

1 be distributed pursuant to the Uniform Disposition of Unclaimed
2 Property Act and no amounts may be applied to increase the benefits
3 any officer would otherwise receive under the Nebraska State Patrol
4 Retirement Act.

5 Sec. 2. This act becomes operative on July 1, 2009.

6 Sec. 3. Original section 81-2025, Reissue Revised
7 Statutes of Nebraska, is repealed.

8 Sec. 4. Since an emergency exists, this act takes effect
9 when passed and approved according to law.