
ASSEMBLY BILL NO. 303—COMMITTEE ON JUDICIARY

FEBRUARY 23, 1999

Referred to Committee on Government Affairs

SUMMARY—Provides for counting of certain service performed by certain injured employees towards eligibility for retirement as police officer or fireman. (BDR 23-1235)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~{omitted material}~~ is material to be omitted.

AN ACT relating to the public employees' retirement system; providing for the counting of certain service performed by certain injured police officers and firemen towards eligibility for retirement as a police officer or fireman; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 286.510 is hereby amended to read as follows:
2 286.510 1. Except as otherwise provided in ~~{subsection 2,}~~
3 ***subsections 2 and 3,*** a member of the system is eligible to retire at age 65
4 if he has at least 5 years of service, at age 60 if he has at least 10 years of
5 service, and at any age if he has at least 30 years of service.
6 2. A police officer or fireman is eligible to retire at age 65 if he has at
7 least 5 years of service, at age 55 if he has at least 10 years of service, at
8 age 50 if he has at least 20 years of service, and at any age if he has at least
9 30 years of service. Only service performed in a position as a police officer
10 or fireman, established as such by statute or regulation, ***service performed***
11 ***pursuant to subsection 3*** and credit for military service, may be counted
12 toward eligibility for retirement pursuant to this subsection.
13 3. ***A police officer or fireman who has at least 5 years of service as a***
14 ***police officer or fireman and is otherwise eligible to apply for disability***
15 ***retirement pursuant to NRS 286.620 because of an injury arising out of***

1 *and in the course of his employment remains eligible for retirement*
2 *pursuant to subsection 2 if:*

3 *(a) He accepts another position with a participating public employer*
4 *as soon as practicable after becoming disabled;*

5 *(b) He remains continuously employed by a participating public*
6 *employer until he becomes eligible for retirement pursuant to subsection*
7 *2; and*

8 *(c) After he accepts a position pursuant to paragraph (a), his*
9 *contributions are paid at the rate that is actuarially determined for police*
10 *officers and firemen until he becomes eligible for retirement pursuant to*
11 *subsection 2.*

12 **4.** Eligibility for retirement, as provided in this section, does not
13 require the member to have been a participant in the system at the
14 beginning of his credited service.

15 ~~4.~~ **5.** Any member who has the years of creditable service necessary
16 to retire but has not attained the required age, if any, may retire at any age
17 with a benefit actuarially reduced to the required retirement age. Except as
18 otherwise required as a result of NRS 286.537, a retirement benefit under
19 this subsection must be reduced by 4 percent of the unmodified benefit for
20 each full year that the member is under the appropriate retirement age, and
21 an additional 0.33 percent for each additional month that the member is
22 under the appropriate retirement age. Any option selected under this
23 subsection must be reduced by an amount proportionate to the reduction
24 provided in this subsection for the unmodified benefit. The board may
25 adjust the actuarial reduction based upon an experience study of the system
26 and recommendation by the actuary.

27 **Sec. 2.** NRS 286.6765 is hereby amended to read as follows:

28 286.6765 1. Except as limited by subsection 2, the spouse of a
29 deceased member who was fully eligible to retire, both as to service and
30 age, is entitled to receive a monthly allowance equivalent to that provided
31 by option 2 in NRS 286.590. This section does not apply to the spouse of a
32 member who was eligible to retire only under subsection ~~4~~ 5 of NRS
33 286.510. For the purposes of applying the provisions of option 2, the
34 deceased member shall be deemed to have retired on the date of his death
35 immediately after having named the spouse as beneficiary under option 2.
36 The benefits provided by this section must be paid to the spouse for the
37 remainder of the spouse's life. The spouse may elect to receive the benefits
38 provided by any one of the following only:

39 (a) This section;

40 (b) NRS 286.674;

41 (c) NRS 286.676; or

42 (d) NRS

286.678.

- 1 2. The benefits provided by this section may only be paid to the
- 2 spouses of members who died on or after May 19, 1975.
- 3 **Sec. 3.** This act becomes effective on July 1, 1999.

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