

## SENATE FILE NO. SF0108

Public employee retirement.

Sponsored by: Senate Appropriations Committee

A BILL

for

1 AN ACT relating to administration of government; modifying  
2 provisions of the Wyoming Retirement Act; increasing  
3 employee and employer contributions under the Act as  
4 specified; increasing the age for normal and early  
5 retirement benefits for general members under the Act;  
6 increasing the combined years of service and age for normal  
7 retirement benefits for general members under the Act;  
8 repealing archaic provisions; providing for rulemaking; and  
9 providing for effective dates.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 9-3-412(a), 9-3-413, 9-3-415(a)(i)  
14 through (iii), (b), (k) and by creating a new subsection  
15 (n), 9-3-416 and 9-3-423(d) are amended to read:

16

1           **9-3-412. Members' contributions; payroll deductions;**  
2 **employer authorized to pay employee's share.**

3  
4           (a) Except as otherwise provided in this section and  
5 W.S. 9-3-431 and 9-3-432, every member covered under this  
6 article, shall pay into the account ~~eight and one-half~~  
7 ~~percent (8.5%) of his salary for the period from September~~  
8 ~~1, 2018 through June 30, 2019, eight and three-quarters~~  
9 ~~percent (8.75%) of his salary for the period from July 1,~~  
10 ~~2019 through June 30, 2020, nine percent (9%) of his salary~~  
11 ~~for the period from July 1, 2020 through June 30, 2021, and~~  
12 ~~thereafter nine and one-quarter percent (9.25%) of his~~  
13 ~~salary~~ for the period from July 1, 2021 through June 30,  
14 2022, nine and fifty-eight hundredths percent (9.58%) of  
15 his salary for the period from July 1, 2022 through June  
16 30, 2023, nine and ninety-one hundredths percent (9.91%) of  
17 his salary for the period from July 1, 2023 through June  
18 30, 2024 and thereafter ten and one-quarter percent  
19 (10.25%). Every firefighter member covered under this  
20 article shall pay into the account seven percent (7%) of  
21 his salary. Payments shall be deducted each pay period  
22 from each member's salary by the chief fiscal officer of  
23 each participating employer. Employee contributions shall

1 be transferred to the account in accordance with subsection  
2 (c) of this section.

3

4 **9-3-413. Employer's contributions; payable monthly;**  
5 **transfer to account; interest imposed upon delinquent**  
6 **contributions; recovery.**

7

8 Except as provided by W.S. 9-2-1022(a)(xi)(F)(III) or (IV),  
9 9-3-431 and 9-3-432, each employer excluding employers of  
10 firefighter members, shall on a monthly basis, pay into the  
11 account a contribution equal to ~~eight and sixty-two~~  
12 ~~hundredths percent (8.62%) of the salary paid to each of~~  
13 ~~its members covered under this article for the period from~~  
14 ~~September 1, 2018 through June 30, 2019, eight and~~  
15 ~~eighty-seven hundredths percent (8.87%) of the salary paid~~  
16 ~~for the period from July 1, 2019 through June 30, 2020,~~  
17 nine and twelve hundredths percent (9.12%) of the salary  
18 paid for the period from July 1, 2020 through June 30,  
19 2021, ~~and thereafter~~ nine and thirty-seven hundredths  
20 percent (9.37%) of the salary paid for the period from July  
21 1, 2021 through June 30, 2022, nine and seven-tenths  
22 percent (9.7%) of the salary paid for the period from July  
23 1, 2022 through June 30, 2023, ten and three hundredths

1 percent (10.03%) of the salary paid for the period from  
2 July 1, 2023 through June 30, 2024 and thereafter ten and  
3 thirty-seven hundredths percent (10.37%) of the salary  
4 paid. Employers of firefighter members shall pay into the  
5 account a contribution equal to seven and twelve hundredths  
6 percent (7.12%) of the salary paid. Employer contributions  
7 for any month, together with the members' contributions for  
8 that month, if any, shall be transferred to the board not  
9 later than the twelfth day of the following month. These  
10 contributions shall be credited to the account in a manner  
11 as directed by the board. Any employer failing to transfer  
12 contributions under this section in sufficient time for the  
13 board to receive the contributions by the twenty-fifth day  
14 of the month due shall be assessed interest at the assumed  
15 rate of return as determined by the board, compounded  
16 annually. Interest imposed under this section shall be  
17 payable not later than the twelfth day of the next  
18 succeeding month. If the contributions and any interest  
19 imposed under this section are not transferred to the board  
20 when due, they may be recovered, together with court costs,  
21 in an action brought for that purpose in the first judicial  
22 district court in Laramie County, Wyoming.

23

1           **9-3-415. When retirement permitted; service credit.**

2

3           (a) Except as provided under W.S. 9-3-431 and  
4 9-3-432, normal retirement benefits under the system are  
5 payable to a member who:

6

7           (i) Has at least four (4) years of service  
8 credit and ~~is at least sixty (60) years of~~ has met the age  
9 specified by rule of the board pursuant to paragraph (n)(i)  
10 of this section and is not subject to paragraph (ii) of  
11 this subsection; or

12

13           (ii) If a general member initially employed  
14 after August 31, 2012, has at least four (4) years of  
15 service credit and ~~is at least sixty-five (65) years of~~ has  
16 met the age specified by rule of the board pursuant to  
17 paragraph (n)(ii) of this section; or

18

19           (iii) Has a combined total of years of service  
20 credit and years of age which equals at least ~~eighty-five~~  
21 ~~(85)~~ the combined years of service credit and years of age  
22 specified by rule of the board pursuant to paragraph  
23 (n)(iii) of this section.

1

2 (b) Except as provided under W.S. 9-3-431, 9-3-432 or  
3 subsection (k) of this section, early retirement benefits  
4 are payable to a member who has at least four (4) years of  
5 service and is at least ~~fifty (50)~~ fifty-five (55) but has  
6 not yet ~~sixty (60) years of~~ met the age for normal  
7 retirement benefits specified by rule of the board pursuant  
8 to paragraph (n)(i) of this section or has at least  
9 twenty-five (25) years of service and is not yet ~~fifty (50)~~  
10 fifty-five (55) years of age. The early retirement benefit  
11 amount is equal to the normal retirement benefit amount  
12 otherwise payable reduced on an actuarial equivalent basis  
13 under rules established by the board.

14

15 (k) For a general member initially employed after  
16 August 31, 2012, early retirement benefits are payable to a  
17 general member who has at least four (4) years of service  
18 and is at least fifty-five (55) but not yet ~~sixty-five (65)~~  
19 ~~years of~~ met the age for normal retirement benefits  
20 specified by rule of the board pursuant to paragraph  
21 (n)(ii) of this section or has at least twenty-five (25)  
22 years of service and is not yet fifty-five (55) years of  
23 age. The early retirement benefit amount is equal to the

1 normal retirement benefit amount otherwise payable reduced  
2 on an actuarial equivalent basis under rules established by  
3 the board.

4

5 (n) The board shall implement by rule age  
6 requirements for normal retirement benefits under  
7 subsection (a) of this section in accordance with the  
8 following:

9

10 (i) For general members subject to paragraph  
11 (a)(i) of this section, the age shall be adjusted in nearly  
12 equal quarterly increments to increase the age from sixty  
13 (60) as of July 1, 2020 to sixty-seven (67) as of July 1,  
14 2035;

15

16 (ii) For general members subject to paragraph  
17 (a)(ii) of this section, the age shall be adjusted in  
18 nearly equal quarterly increments to increase the age from  
19 sixty-five (65) as of July 1, 2020 to sixty-seven (67) as  
20 of July 1, 2035;

21

22 (iii) For all general members, the combined  
23 years of service credit and age shall be adjusted in equal

1 quarterly increments to increase the sum from eighty-five  
2 (85) as of July 1, 2020 to ninety (90) as of July 1, 2025.

3  
4 **9-3-416. Members leaving service without withdrawing**  
5 **accumulated contributions eligible for retirement.**

6  
7 Except for law enforcement officers and firefighter  
8 members, any member who has left service without  
9 withdrawing his accumulated contributions and who has a  
10 minimum of four (4) years of service is eligible to receive  
11 a retirement benefit computed according to the terms of  
12 this article, at the age specified in W.S. 9-3-415~~(a),~~(b)  
13 or (k) or as provided by rule of the board pursuant to W.S.  
14 9-3-415(n), as applicable. Law enforcement officers  
15 leaving service without withdrawing accumulated  
16 contributions and who have a minimum of four (4) years of  
17 service may receive a retirement benefit amount in  
18 accordance with W.S. 9-3-432. Firefighter members leaving  
19 service without withdrawing accumulated contributions and  
20 who have a minimum of four (4) years of service may receive  
21 a retirement benefit amount in accordance with W.S.  
22 9-3-431.

23



1           **9-3-423. Disability; medical and other examinations,**  
2 **tests and evaluations subsequent to retirement; failure to**  
3 **submit to examinations, tests and evaluations; restoration**  
4 **to service; deduction from benefit for excess earnings.**

5  
6           (d) Any member receiving a nonduty-connected total or  
7 partial disability benefit who has not reached ~~age sixty~~  
8 ~~(60)~~ the age specified for normal retirement benefits by  
9 rule of the board pursuant to W.S. 9-3-415(n) shall  
10 annually report to the board in a form prescribed by the  
11 board, his total earnings for the preceding calendar year  
12 from any gainful employment for wages and any worker's  
13 compensation benefits. Fifty percent (50%) of the excess of  
14 any earnings or benefits over the base pay for the position  
15 held at the time of disability shall be deducted, in a  
16 manner the board determines, from his disability benefit  
17 beginning ninety (90) days following the day the report is  
18 due. If any member received a disability benefit for less  
19 than twelve (12) months in a calendar year for which  
20 earnings were reported, the deduction, if any, shall be  
21 determined on a pro rata basis.

22

1           **Section 2.** The Wyoming retirement board shall adopt  
2 rules implementing provisions of this act.

3

4           **Section 3.**

5

6           (a) Sections 2 and 3 of this act are effective  
7 immediately upon completion of all acts necessary for a  
8 bill to become law as provided by Article 4, Section 8 of  
9 the Wyoming Constitution.

10

11           (b) Section 1 of this act is effective July 1, 2020.

12

13

(END)