

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

770I0265

SENATE BILL NO. 14

Introduced by: The Committee on Retirement Laws at the request of the South Dakota Retirement System

1 FOR AN ACT ENTITLED, An Act to allow conversion of certain South Dakota Retirement
2 System credited service by certain law enforcement officers.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 3-12-130 be amended to read as follows:

5 3-12-130. A current contributing Class B member other than a justice, judge, or magistrate
6 judge, may convert credited service as a county sheriff or deputy county sheriff prior to
7 January 1, 1980, or credited service as a county sheriff or deputy county sheriff while not
8 certified from January 1, 1980, to June 30, 1988, inclusive; credited service as a policeman while
9 not certified from July 1, 1983, to June 30, 1988, inclusive; credited service as a penitentiary
10 correctional staff member prior to July 1, 1978; credited service as a conservation officer prior
11 to July 1, 1983; credited service as a parole agent prior to July 1, 1991; and credited service as
12 an air rescue firefighter prior to July 1, 1992, from credited service as a Class A member with
13 benefits provided in accordance with § 3-12-91 to credited service as a Class B member other
14 than a justice, judge, or magistrate judge, with benefits provided in accordance with § 3-12-92,
15 by election to make, or have made on the member's behalf, contributions based on the higher of



1 the member's current compensation, or the member's final compensation calculated as if the
2 member retired on the date of election at a rate of four and one-half percent for each year of
3 service for which the member wishes to receive credit. The provisions of this section also apply
4 to a current contributing Class B member, other than a justice, judge, or magistrate judge, who
5 previously has purchased equivalent public service pursuant to the provisions of § 3-12-84.

6 Payment of a deposit with the system for the conversion of credited service in accordance
7 with this section shall be determined and due at the time the notice of intention to make the
8 payment is received by the system. The amount due may be paid by periodic level installments
9 over a period of up to ten years, the value of which, if discounted for interest at the current
10 effective rate as established by the board pursuant to § 3-12-121 for investment return for
11 purposes of the actuarial valuation, is equal to the amount due at the date of the notice. If a
12 member dies before completion of the installment payments, the surviving spouse may complete
13 the payments due the system, but unless the payments are being made by a participating unit, the
14 amount shall be paid in full within ninety days of the member's death or retirement. If the periodic
15 payments are not completed or paid when due, the administrator may make a pro rata adjustment
16 to the credited service, benefits payable under this chapter or schedule of payments to allow for
17 the default.

18 If the credited service of any member or group of members becomes Class B credited service
19 on a prospective basis on or after July 1, 1993, the prior credited service as a Class A member
20 may be converted to Class B credited service in accordance with this section. If a jailer becomes
21 a Class B member other than a justice, judge, or magistrate judge pursuant to subdivision
22 3-12-47(25) or subdivision 3-12-47(55), the jailer is eligible to convert prior credited service as
23 a jailer under this section.