## **1995 ASSEMBLY BILL 172**

March 2, 1995 – Introduced by Representatives Grobschmidt, Meyer, Gronemus, Baldus and Robson, cosponsored by Senator Andrea. Referred to Joint survey committee on Retirement Systems.

AN ACT to amend 40.23 (2m) (fm) of the statutes; relating to: changing the qualifications for converting a partial year of creditable service to a full year of creditable service under the Wisconsin retirement system for the purpose of determining an annuity reduction.

## Analysis by the Legislative Reference Bureau

Under current law, a participant, other than a teacher, who has at least 0.75 of a year of creditable service in any annual earnings period may treat that 0.75 of a year as one year of creditable service for the purpose of determining the amount of annuity reduction that the participant will incur if he or she terminates covered employment before the normal retirement date. To qualify for this treatment, this participant must have earned only a partial year of creditable service in at least 5 of the 10 annual earnings periods immediately preceding the annual earnings period in which the participant terminated covered employment.

This bill eliminates this qualification for the treatment of such partial years of creditable service for determining the annuity reduction.

This bill will be referred to the joint survey committee on retirement systems for a detailed analysis, which will be printed as an appendix to the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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40.23 (2m) (fm) Notwithstanding s. 40.02 (17) (intro.), for purposes of determining creditable service under par. (f) 2., participants with at least 0.75 of a year of creditable service in any annual earnings period shall be treated as having one year of creditable service for that annual earnings period. To be eligible for the treatment provided by this paragraph, the participant must have earned only a partial year of creditable service in at least 5 of the 10 annual earnings periods immediately preceding the annual earnings period in which the participant terminated covered employment, and the participant must notify the department of the applicability of this paragraph to the participant's service. The participant is not eligible for the treatment provided by this paragraph if such notification is provided by the participant later than 60 days after the participant's annuity effective date. This paragraph does not apply to service credited under s. 40.02 (15) or to creditable service as a teacher.

## SECTION 2. Initial applicability.

(1) This act first applies to a participant who terminates covered employment beginning on the effective date of this subsection.

17 (END)