

352B.087 STATE-AUTHORIZED PURCHASE OF SERVICE CREDIT FOR PERIODS OF MILITARY SERVICE.

Subdivision 1. **Service credit purchase authorized.** (a) Unless prohibited under paragraph (b), a member is eligible to purchase service credit, not to exceed five cumulative years of service credit, for one or more periods of service in the uniformed services, as defined in United States Code, title 38, section 4303(13), if:

- (1) the member has at least three years of service credit with the plan;
- (2) the duration of the member's current period of employment is at least six months; and
- (3) one of the following applies:

(i) the member's service in the uniformed services occurred before employment in a position covered by the plan; or

(ii) the member did not obtain service credit for a period of military service under section 352B.086.

(b) A service credit purchase is prohibited if:

(1) the member separated from uniformed service with a dishonorable or bad conduct discharge or under other than honorable conditions; or

(2) the member has purchased or otherwise received service credit from any Minnesota public employee pension plan for the same period of service in the uniformed services.

(c) When purchasing a period of service, if the period of service in the uniformed services is one year or less, then the member must purchase the full period of service. If the period of service in the uniformed services is longer than one year, the member may purchase the full period, not to exceed five cumulative years, or may purchase a portion of the period of service. If the member purchases a portion of the period of service in the uniformed services, the portion must:

- (1) not be less than one year; and
- (2) be in increments of six months of service.

Subd. 2. **Application and documentation.** To purchase service credit under subdivision 1, a member must apply to the executive director to make the purchase. The application must include all necessary documentation of the member's qualifications to make the purchase, signed written permission to allow the executive director to request and receive necessary verification of applicable facts and eligibility requirements, and any other relevant information that the executive director may require. The member must submit with the application payment of the administrative fee in the amount of \$250 to cover the costs of calculating the purchase payment amount under section 356.551. If the member proceeds with the purchase, the administrative fee will be credited toward the purchase payment amount.

Subd. 3. **Purchase payment amount; service credit grant.** (a) The purchase payment amount is the amount determined under section 356.551 for the period or periods of service requested, except that, for purposes of calculating the purchase payment amount to purchase service credit for service in the uniformed services that occurred before employment in a position covered by the plan or between periods of employment in a position covered by the plan, section 356.551, subdivision 2, paragraph (c), does not apply.

(b) Service credit must be granted by the plan to the purchasing member upon the executive director's receipt of the purchase payment amount. The service credit purchased under this section may not be used for the purpose of determining a disability benefit under section 352B.10.

(c) Payment must be made before the effective date of the member's retirement.

History: 2022 c 65 art 1 s 5