

7950.0300 OPTION TO BECOME A MEMBER.

Subpart 1. **Option.** If, after December 15, 1986, a new or current public official is not a member of PERA but is eligible to become a member, the official shall have an option to become a member of PERA. The option may be exercised by filing an application for membership on forms provided by the executive director of PERA.

Subp. 2. **Effective date.** If an option to become a member of PERA is exercised in accordance with subpart 1, membership shall commence from the date the option is exercised. As provided in Minnesota Statutes, section 353.01, subdivision 7, membership cannot be withdrawn or terminated during incumbency in the elective office with respect to service in which the option is exercised.

Subp. 3. **Failure to exercise.** If an option to become a member of PERA is not exercised in accordance with subpart 1 on or before the date on which status as a public official ceases, the option shall expire on that date.

Subp. 4. **Prior service not covered.** The exercise of an option to become a member of PERA in accordance with subpart 1 shall not cover or otherwise apply to any service as a public official rendered prior to the date on which the option is exercised.

Subp. 5. **Repayment of refunds.** Nothing contained in this part shall circumscribe or otherwise limit the option of a former public official who was a PERA member at the time service as a public official was rendered, to repay refunds of contributions to restore past service credit in accordance with Minnesota Statutes, section 353.35.

Statutory Authority: *MS s 353.08; 353.18*

History: *11 SR 1042*

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