

CHAPTER 353C

LOCAL GOVERNMENT CORRECTIONAL SERVICE
RETIREMENT PLAN353C.06 Correctional service plan retirement
annuity.

353C.08 Disability benefits.

353C.06 CORRECTIONAL SERVICE PLAN RETIREMENT ANNUITY.

Subdivision 1. **Eligibility requirements.** After separation from public employment, an employee covered under section 353C.02 who has attained the age of at least 55 years and has credit for not less than three years of coverage in the local government correctional service plan is entitled, upon application, to a normal retirement annuity. Instead of a normal retirement annuity, a retiring employee may elect to receive the optional annuity provided in section 353.30, subdivision 3.

Subd. 2. **Average salary base.** In calculating the annuity under subdivision 3, "average salary" means an amount equivalent to the average of the highest salary earned as a local government correctional employee upon which employee contributions were paid for any five successive years of allowable service. Average salary must be based on all allowable service if this service is less than five years.

[For text of subd 3, see M.S.1988]

Subd. 4. **Accrual and duration.** The annuity under this section begins to accrue as provided in section 353.29, subdivision 7. The annuity is payable for the life of the recipient, or in accordance with the terms of any optional annuity form selected, and is payable for 84 full calendar months or to the first of the month following the month in which the employee attains the normal retirement age, whichever occurs first. After a recipient has received the annuity calculated under this formula for 84 full calendar months or to the first of the month following the month in which the employee attains the normal retirement age, whichever occurs first, the benefit must be recomputed in accordance with the coordinated formula in sections 353.29 and 353.30, except that if this amount, when added to the social security benefit based on public service the employee is eligible to receive at that time, is less than the benefit payable under subdivision 3, the retired employee is entitled to receive an amount payable under subdivision 3, less any amount payable from social security based on public service used in the benefit calculation. When an annuity is reduced under this subdivision, any percentage of adjustments that have been applied to the original annuity under section 11A.18, before the reduction, must be compounded and applied to the reduced annuity.

[For text of subd 5, see M.S.1988]

History: 1989 c 319 art 13 s 49-51

353C.08 DISABILITY BENEFITS.

[For text of subs 1 to 4, see M.S.1988]

Subd. 5. **Disability benefit termination.** The disability benefit paid to a disabled local government correctional employee terminates at the end of the month in which the employee reaches age 62. If the disabled local government correctional employee is still disabled when the employee reaches age 62, the employee is deemed to be a retired employee and, if the employee had elected an optional annuity under subdivision 3, must receive an annuity in accordance with the terms of the optional annuity previously elected. If the employee had not elected an optional annuity under subdivision 3, the employee may elect either to receive a normal retirement annuity computed on the coordinated formula in the manner provided in section 353.29 or to receive an

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optional annuity as provided in section 353.30, subdivision 3, based on the same length of service as used in the calculation of the disability benefit. Election of an optional annuity must be made before attaining the age of 62 years. The reduction for retirement prior to normal retirement age as provided in section 353.30, subdivisions 1, 1c, and 5, is not applicable. The savings clause provision of section 353C.06, subdivision 4, is applicable.

[For text of subs 6 and 7, see M.S.1988]

History: 1989 c 319 art 13 s 52