

HOUSE BILL NO. 295

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES JOSEPHSON, Tuck

Introduced: 2/3/14

Referred: Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to accrual of service in the public employees' retirement system by a**
2 **peace officer or firefighter while the peace officer or firefighter is unable to work and is**
3 **receiving workers' compensation benefits; and requiring the state to make certain**
4 **contributions under the defined contribution plan of the public employees' retirement**
5 **system for a peace officer or firefighter who is unable to work and is receiving workers'**
6 **compensation benefits."**

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 *** Section 1.** AS 39.35.330 is amended by adding a new subsection to read:

9 (e) Notwithstanding (b) of this section, a peace officer or firefighter who takes
10 a leave of absence without pay because the peace officer or firefighter is unable to
11 work because of an on-the-job injury or occupational illness for which the peace
12 officer or firefighter is receiving benefits under AS 23.30 is entitled to accrue credited
13 service without charge to the peace officer or firefighter for the time on leave of

1 absence without pay status. Entitlement to credited service under this subsection ends
 2 when the peace officer or firefighter is eligible to receive benefits under
 3 AS 39.35.370(a) or 39.35.410(a). A peace officer or firefighter who receives credited
 4 service under this subsection may not also elect to receive credited service under (c) of
 5 this section.

6 * **Sec. 2.** AS 39.35.750 is amended by adding a new subsection to read:

7 (f) The state shall make contributions under (a), (b), (d), and (e) of this section
 8 for a peace officer or firefighter who is entitled to accrue membership service under
 9 AS 39.35.974, regardless of whether the peace officer or firefighter is an employee of
 10 the state. For the purpose of calculating the amount of a contribution required by this
 11 subsection, a peace officer's or firefighter's compensation for the period from July 1 to
 12 the following June 30 is the sum of

13 (1) an amount equal to the compensation, as defined in AS 39.35.990,
 14 paid by the employer for that period; and

15 (2) an amount equal to the peace officer's or firefighter's spendable
 16 weekly wages for that period as computed under AS 23.30.220.

17 * **Sec. 3.** AS 39.35 is amended by adding a new section to read:

18 **Sec. 39.35.974. Special rules for peace officer and firefighter membership**
 19 **service.** Notwithstanding contrary provisions of AS 39.35.700 - 39.35.990, a peace
 20 officer or firefighter who is on leave from work without pay because the peace officer
 21 or firefighter is unable to work because of an on-the-job injury or occupational illness
 22 for which the peace officer or firefighter is receiving benefits under AS 23.30 is
 23 entitled to accrue membership service in the plan, without charge to the peace officer
 24 or firefighter, for the purpose of eligibility for benefits under the plan that are based on
 25 years of membership service. Entitlement to accrue membership service under this
 26 section ends when the peace officer or firefighter is eligible to retire under
 27 AS 39.35.870(a) or receive benefits under AS 39.35.890(a).

28 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
 29 read:

30 APPLICABILITY. AS 39.35.330(e), added by sec. 1 of this Act, AS 39.35.750(f),
 31 added by sec. 2 of this Act, and AS 39.35.974, added by sec. 3 of this Act, apply to credited

1 service for a leave of absence that begins on or after the effective date of this Act.