

1 **BOARD BILL NO. 60 INTRODUCED BY ALDERMAN JOSEPH VACCARO**

2
3 An Ordinance pertaining to the Firemen’s Retirement System enacting a new section to be codified
4 as Section 4.18.016 of the Revised Code of the City of St. Louis to reflect the intent for the
5 Firemen’s Retirement System to be a qualified governmental plan under the provisions of applicable
6 federal law; and amending Section Three of Ordinance 63988 approved February 12, 1997, to
7 conform to the provisions of House Bill 664, as the same is found in Section 4.18.157 Code of the
8 City of St. Louis to make subsection A of Section 4.18.157 applicable to retirement for accidental
9 disability before (*date of Mayor’s signature*); and further enacting a new section to be codified as
10 Section 4.18.158 Code of the City of St. Louis pertaining to retirement for accidental disability on or
11 after (*date of Mayor’s signature*); and further enacting a new section pertaining to the increases in
12 accidental disability allowance for retirement for accidental disability on or after (*date of Mayor’s*
13 *signature*) to be codified as 4.18.166 Code of the City of St. Louis and containing an emergency
14 clause.

15 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

16 **SECTION ONE.** There is hereby enacted a new section to be codified as Section 4.18.016 of the
17 Revised Code of the City of St. Louis which shall read as follows:

18 **4.18.016. Qualified governmental plan**

19 **A retirement plan under Chapter 4.18 of the Revised Code of the City of St. Louis is**
20 **intended to be a qualified governmental plan under the provisions of applicable federal**
21 **law. The benefits and conditions of the plan shall be interpreted and the system shall**
22 **be operated to ensure that the system meets the federal qualification requirements.**

1 **SECTION TWO.** Section Three of Ordinance 63988 approved February 12, 1997, is
2 hereby amended to be codified as Section 4.18.157 of the Revised Code of the City of St.
3 Louis, to reflect that subsection A shall apply to retirement for accidental disability before
4 (*date of Mayor's signature*), which shall read as follows:

5 4.18.157. Accidental disability allowance – Amount.

A. Upon retirement for accidental disability, **before (*date of Mayor's signature*)**, a member shall receive seventy-five percent of the pay then provided by law for the highest step in the range of salary for the title or rank held by such member at the time of such retirement unless the member is permanently and totally incapacitated from performing any work, occupation or vocation of any kind whatsoever and is continuously confined to the member's home except for visits to obtain medical treatment, in which event the member may receive, in the discretion of the board of trustees, a retirement allowance in an amount not exceeding the member's rate of compensation as a firemen in effect as of the date the allowance begins.

B. Anyone who has retired pursuant to the provisions of Section 87.170 RSMo., as amended, and has been reinstated pursuant to subsection 2 of Section 87.130 RSMo., as amended, who subsequently becomes disabled as provided in Section 87.200 RSMo., as amended, shall receive a total benefit which is the higher of either the disability pension or the service pension.

SECTION THREE. There is hereby enacted a new section to be codified as Section 4.18.158 of the Revised Code of the City of St. Louis, which shall read as follows:

4.18.158. Accidental disability allowance – Amount for retirement on or after (*date of Mayor's signature*).

A. Upon retirement for accidental disability on or after (*date of Mayor's signature*) based on conditions of the heart, lungs, or cancer or based on permanent and total disability which will prevent the member from obtaining employment elsewhere, as determined by the Board of Trustees based on the medical evidence presented by the Retirement System's physicians, a member shall receive, regardless of his or her number of years of credible service, seventy-five percent of the earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

B. Except as provided in subsection A of this section, upon retirement for accidental disability on or after (*date of Mayor's signature*), a member shall receive a base pension equal to twenty-five percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

C. Except as provided in subsection A of this section, upon retirement for accidental disability on or after (*date of Mayor's signature*), the member may elect to receive an education allowance in an amount not to exceed the tuition for a state resident at the University of Missouri - St. Louis. The accidentally disabled member shall enroll in a college, university, community college, or vocational or technical school at the first opportunity after the accidentally disabled member was retired and shall receive such educational allowance in the form of reimbursement upon proof of payment to such institution. The education allowance described in this subsection shall cease when the accidentally disabled member ceases to be a full-time student, fails to provide proof of achievement of a grade point average of two on a four-point scale or the equivalent on

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another scale for each academic term, or if the accidentally disabled member is restored to active service as a firefighter, but in no event shall such education allowance be available for more than five years after the member is retired pursuant to Section 87.200 RSMo.

D. Except as provided in subsection A of this section, upon retirement for accidental disability, on or after *(date of Mayor's signature)*, in addition to the base pension provided for in subsection B of this section and the education allowance provided for in subsection C of this section, members with twenty-five years or less of creditable service shall receive an additional accidental retirement pension equal to two and three-fourths percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of retirement for each year of creditable service equal to or greater than ten years but not more than twenty-five years.

E. Except as provided in subsection A of this section, upon retirement for accidental disability on or after *(date of Mayor's signature)*, in addition to the base pension provided for in subsection B of this section and the additional accidental retirement pension provided for in subsection D of this section, for members with the twenty-five years or less of creditable service, then during such time that the disabled member is a full-time student in a college, university, community college, or vocational or technical school and is receiving the educational allowance provided for in subsection C of this section, such member shall also receive a supplemental disability retirement pension in the amount necessary so that his or her total accidental disability retirement pension, excluding the education allowance, shall be equal to one hundred percent of the

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earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement. In no event shall such supplemental accidental disability pension be paid for a period more than five years after the member is retired under Section 87.200 RSMo.

F. Except as provided in subsection A of this section, upon retirement for accidental disability on or after (*date of Mayor's signature*), in addition to the base pension provided for in subsection B of this section and the education allowance provided for in subsection C of this section, for members with more than twenty-five years of creditable service, such member shall also receive an additional pension equal to fifty percent of the member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement.

G. Notwithstanding any other provisions in this section, upon retirement for accidental disability, other than as provided in subsection A of this section, on or after (*date of Mayor's signature*), a member with more than twenty years of creditable service but not more than twenty-five years of creditable service may waive the right to receive the education allowance provided for in subsection C of this section, the right to additional pension retirement allowance provided for in subsection D of this section, and the right to receive the supplemental disability retirement pension provided for in subsection E of this section and may elect to receive instead in addition to the accidental disability retirement base pension as provided for in subsection B of this section an additional pension from the date of such member's retirement equal to forty percent of the

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member's earnable compensation then provided for the step in the range of salary for the title or rank held by such member at the time of such retirement. Any such election shall be made prior to such member's receipt of his or her first accidental disability pension payment.

SECTION FOUR. There is hereby enacted a new section to be codified as Section 4.18.166 of the Revised Code of the City of St. Louis which shall read as follows:

4.18.166. Increase in allowances for accidental disability retirement on or after (*date of Mayor's signature*).

Notwithstanding anything in Section 4.18.165.A.2. to the contrary, for accidental disability retirement on or after (*date of Mayor's signature*), for reasons other than provided in subsection A of Section 4.18.158, unless a member has more than twenty-five years of creditable service, the accidental disability allowance shall only increase at a rate of one percent per year, compounded each year, up to age sixty, then five percent per year for five years. For accidental disability on or after (*date of Mayor's signature*), for reasons other than provided in subsection A of Section 4.18.158, if a member has more than twenty-five years of creditable service, the accidental disability allowance shall only increase at a rate of two and one-fourth percent per year, compounded each year, up to age sixty, then five percent per year for five years.

SECTION FIVE. EMERGENCY CLAUSE. This being an ordinance for the immediate preservation of public peace, health and safety, it is hereby declared to be an immediate measure within the meaning of Sections 19 and 20 of Article IV of the

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Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

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