

SENATE FILE NO. SF0071

Retirement-law enforcement disability.

Sponsored by: Senator(s) Job and Devin and Representative(s) Johnson, W. and McOmie

A BILL

for

1 AN ACT relating to law enforcement retirement; imposing a
2 vesting period for law enforcement nonduty related
3 disability; modifying disability allowances under the state
4 highway patrol, game and fish warden and criminal
5 investigator retirement; and providing for an effective
6 date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 9-3-432(h) (intro) and 9-3-611(d) are
11 amended to read:

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13 **9-3-432. Law enforcement officers; contributions;**
14 **benefit eligibility; service and disability benefits; death**
15 **benefits; benefit options.**

16

1 (h) Notwithstanding W.S. 9-3-422, any law enforcement
2 officer in service for which contributions have been paid
3 because of illness or injury in the scope of employment, or
4 except as otherwise provided under this subsection, any law
5 enforcement officer with ten (10) years of service credit
6 under this article because of illness or injury outside of
7 the scope of employment, may retire on account of a total
8 or partial disability in accordance with rules and
9 regulations adopted by the board. Any law enforcement
10 officer previously covered under W.S. 15-5-301 through
11 15-5-314 and transferred under this article may because of
12 illness or injury outside the scope of employment and
13 regardless of the number of years of service credit under
14 this article, retire on account of total or partial
15 disability. The board shall determine mental or physical
16 incapacitation for disability retirement under this section
17 in accordance with W.S. 9-3-422(a) and rules and regulation
18 of the board, and the cost of any required examination or
19 test shall be paid as provided by W.S. 9-3-422 and rule and
20 regulation of the board. Any law enforcement officer
21 receiving a disability benefit under this section is
22 subject to reporting, evaluation and excess earnings
23 deduction requirements imposed under W.S. 9-3-423 and rule
24 and regulation of the board. Upon retirement for a

1 disability as determined and for which a member qualifies
2 under this section, a law enforcement officer shall for the
3 life of the officer or until the officer is no longer
4 disabled, receive:

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6 **9-3-611. Eligibility and amount of disability**
7 **allowance.**

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9 (d) Disability allowances shall be ~~as follows:~~

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11 ~~(i) fifty percent (50%) of highest average salary~~
12 ~~for duty-connected or ordinary total or partial~~
13 ~~disability.~~

14

15 ~~(ii) Forty-two and one-half percent (42.5%) of~~
16 ~~highest average salary for duty-connected partial~~
17 ~~disability; and~~

18

19 ~~(iii) Thirty-five percent (35%) of highest~~
20 ~~average salary for ordinary partial disability.~~

21

22 **Section 2.** This act is effective July 1, 2004.

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24

(END)