

HOUSE BILL NO. HB0110

Non-recurring retiree inflation adjustments.

Sponsored by: Representative(s) Harshman, Brown, Henderson,
Kirkbride, Olsen, Schwartz, Sweeney and
Zwonitzer and Senator(s) Pappas

A BILL

for

1 AN ACT relating to retirement benefits administered by the
2 Wyoming retirement system; providing for additional
3 noncumulative benefit payments under the Wyoming Retirement
4 Act, the Wyoming State Highway Patrol, Game and Fish Warden
5 and Criminal Investigator Retirement Act, the Wyoming
6 Judicial Retirement Act, the Firemen's Pension Account
7 Reform Act of 1981 and the volunteer firefighter, EMT and
8 search and rescue pension account; conforming provisions;
9 providing an appropriation; and providing for an effective
10 date.

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

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14 **Section 1.** W.S. 9-3-453(a)(i) and (xiv) is amended to
15 read:

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2 **9-3-453. Public employee retirement plans; funding;**
3 **legislative findings; required determinations for benefit**
4 **increases.**

5

6 (a) The legislature finds:

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8 (i) Wyoming public employee retirement plans'
9 actuarial funding levels are higher than many public
10 employee retirement plans in other states, but as
11 constructed by statute, the Wyoming plans were not intended
12 to and cannot support ongoing or cumulative cost of living
13 or other ongoing or cumulative benefit increases. Numerous
14 indicators support this conclusion;

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16 (xiv) It is the intent of the legislature that
17 ongoing or cumulative cost-of-living increases and changes
18 to multipliers be allowed only in the event that the
19 actuarial funded level for the affected plan remains above
20 one hundred percent (100%), plus the additional percentage
21 the retirement board determines is reasonably necessary to
22 withstand market fluctuations. This determination is to be

1 made for the entire amortization period affected by the
2 change using then current actuarial assumptions.

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4 **Section 2.** Two (2) additional payments shall be made,
5 one (1) on or before July 1, 2020 and one (1) on or before
6 July 1, 2021, to each eligible individual receiving a
7 service pension, survivor's pension, retirement benefit,
8 survivor benefit, death benefit or disability pension or
9 benefit under the Wyoming Retirement Act, the Wyoming State
10 Highway Patrol, Game and Fish Warden and Criminal
11 Investigator Retirement Act, the Wyoming Judicial
12 Retirement Act, the Firemen's Pension Account Reform Act of
13 1981 or the volunteer firefighter, EMT and search and
14 rescue pension account as provided in this section. The
15 additional payments shall be limited to individuals who
16 first began receiving the applicable benefit prior to July
17 1, 2019, either alone or in combination with a member or
18 retired or disabled employee if the individual is a
19 survivor. If the individual is a survivor, the payment
20 applicable benefit date shall be based on the initial
21 retirement or disability benefit of the pertinent member.
22 Each additional payment to an eligible individual shall be
23 calculated by multiplying the eligible individual's

1 existing annual benefit by one-tenth of one percent (0.1%)
2 for each year the individual's retirement or disability
3 benefit was effective prior to July 1, 2019, or if the
4 individual is a survivor for each year the pertinent
5 member's or employee's benefit was effective prior to July
6 1, 2019, up to a maximum amount of three percent (3%) of
7 the existing annual benefit. The additional payments under
8 this section shall not be ongoing or cumulative.

9

10 **Section 3.**

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12 (a) Not later than sixty (60) days after making the
13 additional payments required under this act on or before
14 July 1, 2020, the retirement board of the Wyoming
15 retirement system shall certify to the state treasurer the
16 total amount of funds paid from retirement accounts or
17 funds administered by the Wyoming retirement system for
18 those additional payments. The certification shall not
19 include amounts that will be paid on or before July 1,
20 2021.

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22 (b) There is appropriated to the state treasurer's
23 office an amount of general funds equal to the amount

1 certified under subsection (a) of this section. The state
2 treasurer shall transfer this appropriation to the
3 retirement board of the Wyoming retirement system not later
4 than ninety (90) days after the receipt of certification
5 under subsection (a) of this section for credit to the
6 retirement accounts or funds from which the additional
7 payments were made. This appropriation shall not be
8 transferred or expended for any other purpose.

9

10 **Section 4.** This act is effective immediately upon
11 completion of all acts necessary for a bill to become law
12 as provided by Article 4, Section 8 of the Wyoming
13 Constitution.

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15

16

(END)