

State of Wisconsin



2013 Senate Bill 330

Date of enactment: **April 4, 2014**
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2013 WISCONSIN ACT 191

AN ACT to renumber and amend 40.285 (2) (b) 4.; to amend 40.285 (2) (b) 1. (intro.); and to create 40.285 (2) (b) 1. e. and 40.285 (2) (b) 4. b. of the statutes; relating to: purchase of military service under the Wisconsin Retirement System.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.285 (2) (b) 1. (intro.) of the statutes is amended to read:

40.285 (2) (b) 1. (intro.) Each participating employee whose creditable service terminates on or after May 1, 1992, and who has performed service, other than military service, as an employee of the federal government or a state or local governmental entity in the United States, other than a participating employer, that is located within or outside of this state, or each participating employee whose creditable service terminates on or after May 4, 1994, and who has performed service as an employee for an employer who was not at the time a participating employer but who subsequently became a participating employer, may receive creditable service for such service if all of the following occur:

SECTION 2. 40.285 (2) (b) 1. e. of the statutes is created to read:

40.285 (2) (b) 1. e. If the participating employee is applying to receive creditable service for service in the U.S. armed forces or national guard, the participating

employee must have been discharged from the U.S. armed forces or national guard under honorable or general conditions.

SECTION 3. 40.285 (2) (b) 4. of the statutes is renumbered 40.285 (2) (b) 4. (intro.) and amended to read:

40.285 (2) (b) 4. (intro.) A participant may not receive creditable service under this paragraph for service that is used for the purpose of establishing entitlement to, or the amount of, any other benefit to be paid by any federal, state, or local government entity, except ~~a~~ for the following:

- a. A disability or OASDHI benefit ~~or a~~ c. benefit paid for service in the national guard.

SECTION 4. 40.285 (2) (b) 4. b. of the statutes is created to read:

40.285 (2) (b) 4. b. A benefit under the retired pay for nonregular military service program under 10 USC 12731 to 12740.

SECTION 5. Initial applicability.

(1) This act first applies to participating employees in the Wisconsin retirement system who terminate covered employment on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."