



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4572/P1
MIM:amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to amend** 40.285 (2) (b) 1. a. to d. and 40.285 (2) (b) 4. (intro.) of the
2 statutes; **relating to:** purchase of other governmental service under the
3 Wisconsin Retirement System (suggested as remedial legislation by the
4 Department of Employee Trust Funds).

Analysis by the Legislative Reference Bureau

This bill clarifies that only an employee who is currently employed with an participating employer under the Wisconsin Retirement System may purchase other governmental service. As currently written, the statute uses the term “participant” and “participating employee.” The term “participant” includes a person who previously worked for a participating employer but has not yet taken a WRS benefit.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Employee Trust Funds and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 40.285 (2) (b) 1. a. to d. of the statutes are amended to read:

2 40.285 (2) (b) 1. a. The participant participating employee has at least 3
3 continuous years of creditable service at the time of application.

4 b. The number of years of creditable service applied for under this paragraph
5 does not exceed the number of years of creditable service that the participant
6 participating employee has at the date of application, excluding all creditable service
7 purchased under this section or s. 40.02 (17) (b), 1981, 1983, 1985, 1987, 1989, 1991,
8 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02 (17) (e), 1987, 1989, 1991, 1993,
9 1995, 1997, 1999, and 2001 stats., s. 40.02 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999,
10 and 2001 stats., s. 40.02 (17) (k), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats.,
11 s. 40.25 (6), 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001
12 stats., or s. 40.25 (7), 1991, 1993, 1995, 1997, 1999, and 2001 stats., less the number
13 of years of creditable service previously purchased under this paragraph or s. 40.25
14 (7), 1991, 1993, 1995, 1997, 1999, and 2001 stats.

15 c. At the time of application, the participant participating employee furnishes
16 evidence of such service that is acceptable to the department.

17 d. Except as provided in sub. (4) (b), at the time of application, the participant
18 participating employee pays to the department a lump sum equal to the present
19 value of the creditable service applied for under this paragraph, in accordance with
20 rates actuarially determined to be sufficient to fund the cost of the increased benefits
21 that will result from granting the creditable service under this paragraph. The
22 department shall by rule establish different rates for different categories of
23 participants, based on factors recommended by the actuary.

24 **SECTION 2.** 40.285 (2) (b) 4. (intro.) of the statutes is amended to read:

1 40.285 (2) (b) 4. (intro.) A ~~participant~~ participating employee may not receive
2 creditable service under this paragraph for service that is used for the purpose of
3 establishing entitlement to, or the amount of, any other benefit to be paid by any
4 federal, state, or local government entity, except for the following:

 NOTE: SECTIONS 1 and 2 replace the term “participant” with “participating
 employee” in statutes relating to purchasing creditable service for purposes of the
 Wisconsin Retirement System.

5

(END)