

**§18311. Armed forces**

**1. Service after becoming a member.** For employees who qualify to have their membership in the Participating Local District Retirement Program continued under section 18258, subsection 1, because of service in the Armed Forces of the United States, the participating local district shall contribute to the Members' Contribution Fund the same amount that the member would have been required to contribute if the member had been serving the participating local district during the period of service in the armed forces in the same capacity in which the employee was serving at the time the employee joined the armed forces. Any member whose contributions to the Members' Contribution Fund are paid by the participating local district under this subsection, who withdraws or ceases to be a member of the Participating Local District Retirement Program, may not withdraw any of the contributions made by the participating local district under this subsection.

[PL 2007, c. 491, §223 (AMD).]

**2. Service before becoming a member.** A member who qualifies under section 18360, subsection 2, shall contribute to the Participating Local District Retirement Program for the period after service in the armed forces under the following terms and conditions.

A. If the member qualifies under section 18360, subsection 2, contributions are calculated at the percentage rate required of active members during the period of time covered by the service in the armed forces applied to the member's earnable compensation during the first year as an employee subsequent to service in the armed forces under the following terms and conditions:

- (1) If 2 or more percentage rates were in effect during the period of service in the armed forces, the highest percentage rate is used;
- (2) The minimum rate is 5%; and
- (3) Interest at a rate set by the board not to exceed regular interest by 2 or more percentage points is paid on the unpaid balance beginning January 1, 1976, or the date of attaining 15 years of creditable service, if later, to the date payment is made. [PL 1991, c. 23, §1 (AMD).]

B. [PL 1991, c. 23, §2 (RP).]

C. The payment must be made to the Participating Local District Retirement Program by a single direct payment or annual direct payments made in accordance with section 18301, subsection 4. [PL 2007, c. 491, §224 (AMD).]

[PL 2007, c. 491, §224 (AMD).]

**SECTION HISTORY**

PL 1985, c. 801, §§5,7 (NEW). PL 1989, c. 710, §§17,18 (AMD). PL 1991, c. 23, §§1,2 (AMD). PL 2007, c. 491, §§223, 224 (AMD).

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