

CHAPTER 423B

MINNEAPOLIS POLICE PENSIONS

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423B.01 MINNEAPOLIS POLICE RELIEF ASSOCIATION; DEFINITIONS.

[For text of subds 1 to 21, see M.S.2004]

Subd. 22. **Covered salary.** "Salary" is subject to the limitations of section 356.611.

History: 1Sp2005 c 8 art 1 s 28

423B.05 INCORPORATION, GOVERNMENT BY BOARD.

[For text of subds 1 and 2, see M.S.2004]

Subd. 3. **Continuation of board.** Notwithstanding the provisions of section 423A.01, subdivision 2, or any other law, the board of trustees and its successors established under subdivision 1 shall continue to govern the association until there are no more than 225 members of the police pension fund. The fund thereafter must become a trust fund in accordance with section 423A.01, subdivision 2.

[For text of subds 4 and 5, see M.S.2004]

History: 1Sp2005 c 8 art 11 s 9

423B.09 RELIEF ASSOCIATION SERVICE PENSIONS AND DISABILITY PENSIONS.

Subdivision 1. **Minneapolis police; persons entitled to receive pensions.** The association shall grant pensions payable from the police pension fund in monthly installments to persons entitled to pensions in the manner and for the following purposes.

(a) An active member or a deferred pensioner who has performed duty as a member of the police department of the city for five years or more, upon written application after retiring from duty and reaching at least age 50, is entitled to be paid monthly for life a service pension. Active members, deferred members, and service pensioners are entitled to a service pension according to the following schedule:

5 years	8.0 units	
6 years	9.6 units	
7 years	11.2 units	
8 years	12.8 units	
9 years	14.4 units	
10 years	16.0 units	
11 years	17.6 units	
12 years	19.2 units	
13 years	20.8 units	
14 years	22.4 units	
15 years	24.0 units	
16 years	25.6 units	
17 years	27.2 units	
18 years	28.8 units	
19 years	30.4 units	
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20 years	34.5 units	35.0 units

21 years	36.1 units	36.6 units
22 years	37.7 units	38.2 units
23 years	39.3 units	39.8 units
24 years	40.9 units	41.4 units
25 years	42.5 units	43.0 units

Column A is applicable until December 31, 2005, and applies retroactively to January 1, 2005, for a service pensioner who retired before January 1, 2005. Column B applies on and after January 1, 2006.

Fractional years of service may not be used in computing pensions.

(b) An active member who after five years' service but less than 20 years' service with the police department of the city, becomes superannuated so as to be permanently unable to perform the person's assigned duties, is entitled to be paid monthly for life a superannuation pension equal to four units for five years of service and an additional two units for each full year of service over five years and less than 20 years.

(c) An active member who is not eligible for a service pension and who, while a member of the police department of the city, becomes diseased or sustains an injury while in the service that permanently unfits the member for the performance of police duties is entitled to be paid monthly for life a pension equal to 34 units while so disabled.

[For text of subs 2 to 6, see M.S.2004]

Subd. 7. **Additional unit.** The additional half units provided to members by subdivision 1 must also be provided under the same terms and at the same time as applicable under subdivision 1 to members who selected a joint annuity option under subdivision 6 and must be in an amount that is actuarially equivalent to the service pension and the automatic survivor coverage for that additional unit.

History: *1Sp2005 c 8 art 11 s 10,11*

423B.10 SURVIVOR BENEFITS.

Subdivision 1. **Entitlement; benefit amount.** (a) The surviving spouse of a deceased service pensioner, disability pensioner, deferred pensioner, superannuation pensioner, or active member, who was the legally married spouse of the decedent, residing with the decedent, and who was married while or before the time the decedent was on the payroll of the police department, and who, if the deceased member was a service or deferred pensioner, was legally married to the member for a period of at least one year before retirement from the police department, is entitled to a surviving spouse benefit. The surviving spouse benefit is equal to 22.5 units per month until December 31, 2005, and 23 units per month beginning on January 1, 2006, if the person is the surviving spouse of a deceased active member or disabilitant. The surviving spouse benefit is equal to six units per month, plus an additional one unit for each year of service to the credit of the decedent in excess of five years, to a maximum of 22.5 units per month until December 31, 2005, and 23 units per month beginning on January 1, 2006, if the person is the surviving spouse of a deceased service pensioner, deferred pensioner, or superannuation pensioner. The surviving spouse benefit is payable for the life of the surviving spouse.

(b) A surviving child of a deceased service pensioner, disability pensioner, deferred pensioner, superannuation pensioner, or active member, who was living while the decedent was an active member of the police department or was born within nine months after the decedent terminated active service in the police department, is entitled to a surviving child benefit. The surviving child benefit is equal to eight units per month if the person is the surviving child of a deceased active member or disabilitant. The surviving child benefit is equal to two units per month, plus an additional four-tenths of one unit per month for each year of service to the credit of the decedent in excess of five years, to a maximum of eight units, if the person is the surviving child of a deceased service pensioner, deferred pensioner, or superannuation

pensioner. The surviving child benefit is payable until the person attains age 18, or, if in full-time attendance during the normal school year, in a school approved by the board of directors, until the person receives a bachelor's degree or attains the age of 22 years, whichever occurs first. In the event of the death of both parents leaving a surviving child or children entitled to a surviving child benefit as determined in this paragraph, the surviving child is, or the surviving children are, entitled to a surviving child benefit in such sums as determined by the board of directors to be necessary for the care and education of such surviving child or children, but not to exceed the family maximum benefit per month, to the children of any one family.

(c) The surviving spouse and surviving child benefits are subject to a family maximum benefit. The family maximum benefit is 41 units per month.

(d) A surviving spouse who is otherwise not qualified may receive a benefit if the surviving spouse was married to the decedent for a period of five years and was residing with the decedent at the time of death. The surviving spouse benefit is the same as that provided in paragraph (a), except that if the surviving spouse is younger than the decedent, the surviving spouse benefit must be actuarially equivalent to a surviving spouse benefit that would have been paid to the member's spouse had the member been married to a person of the same age or a greater age than the member's age before retirement.

(e) For any surviving spouse who began receiving survivor benefits before January 1, 2005, the half-unit increase under paragraph (a) is effective retroactive to January 1, 2005.

[For text of subd 2, see M.S.2004]

History: *1Sp2005 c 8 art 11 s 12*

423B.17 PAYMENTS EXEMPT FROM PROCESS.

The provisions of section 356.401 apply to the Minneapolis Police Relief Association.

History: *1Sp2005 c 8 art 10 s 77*