

Bullet Points for SB171

AN ACT THAT CLARIFIES THE CIRCUMSTANCES UNDER WHICH A MEMBER CAN OBTAIN FREE CREDITED SERVICE FOR TIME SPENT IN THE , THE CIRCUMSTANCES BY WHICH A MEMBER MAY PURCHASE MILITARY SERVICE CREDIT, AND FOR OTHER PURPOSES.

- A careful examination shows three types of military service available at ATRS:
 1. Free service for the era during the Vietnam draft.
 2. Purchased standard military service.
 3. Purchased deployment service in addition to the first two types listed above.
- This act clarifies the three circumstances under which a member can obtain free service credit for time spent in the military. All three require that the service be rendered during an era in which the United States had a mandatory draft in effect but applies to the member whether the member was drafted or volunteered. The 3 instances are;
 1. When the member is working at an ATRS employer, is drafted or joins the military during a period of the draft, takes a refund of member contributions, and returns to work after the service concludes. In this instance the member can immediately obtain up to the maximum of five free years of military service credit if the member restores the service credited that was refunded by purchasing the refunded service.
 2. When the member is working at an ATRS employer, is drafted or joins the military during a period of the draft, does not take a refund of member contributions, and returns to work after the service concludes. In this instance the member can immediately obtain up to the maximum of five free years of military service credit, even if the member had less than five years of ATRS service, since the military service disrupted the employment.
 3. When the member first works at an ATRS employer, after the member was drafted or joined the military during a period of the draft. In this instance, the member can obtain up to the maximum of five years of free military service credit once the member has five years of actual ATRS service.
- The limitation on five years of free service credit is set forth in *ACA 24-7-602(d)*
In no event shall a person be credited with a total of more than five (5) years of

armed service, except that service credited under subsection (c) of this section shall be in addition to that amount.

- The remaining language has had few changes since it was prepared to comply with the Uniformed Services Employment and Reemployment Rights Act of 1994, several years past.
- The only time a member can receive more than five years of total military service is if the member had other eligible service to purchase five years of military service and is subsequently deployed in a manner that disrupts ATRS service, such as a National Guard deployment or multiple deployments. In that instance, the member, using the federal law, as restated in the ATRS law, can obtain by employer/member purchase up to five additional years that were lost due to the deployments. See *ACA 24-7-602(d) In no event shall a person be credited with a total of more than five (5) years of armed service, except that service credited under subsection (c) of this section shall be in addition to that amount.*
- The total combination of free and standard purchased military service credit is 5 total years.
- For deployment, it is possible to purchase an additional five years. Under no circumstances can military service credit over 10 years.
- This will have an immediate emergency clause to make the clarification immediate.

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