

Reported Recommending
Ind. Postponed
Passed Senate
Failed to Pass Senate
Passed House
Failed to Pass House

Senate File 174

January 31, 1947.
Passed on File.

By FAUL, BEKMAN and DOUD.

A BILL FOR

An Act to amend the law as it appears in chapter ninety-seven (97), Code 1946, relating to old age and survivors' insurance of certain public employees and regulating the collections of contributions to said system and the payments of benefits thereunder.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. That section ninety-seven point forty-five
2 (97.45), Code 1946, be amended by striking out the word "one"
3 in line one (1) of subsection four (4), paragraph (b) thereof
4 and inserting in lieu thereof the word "three".

1 Sec. 2. That section ninety-seven point forty-five
2 (97.45) be further amended by striking out the semicolon (;)
3 and the word "or" in line fourteen (14) of subsection six (6),
4 paragraph (a) of said section, and adding the following:
5 "but in the event such employee has a record of at least
6 ten (10) years of employment in public service then he shall
7 be a fully insured individual after he has been covered for
8 at least six (6) full quarters immediately preceding his
9 retirement or death; or".

1 Sec. 3. That section ninety-seven point forty-five
2 (97.45), Code 1946, be further amended by inserting a new

3 paragraph (c) after line nineteen (19) of subsection six (6)
4 thereof as follows:

5 "He had at least ten (10) quarters of coverage and had
6 been employed by a political subdivision for a total of
7 twenty (20) years before the effective date of this act."

1 Sec. 4. That section ninety-seven point thirteen
2 (97.13), Code 1946, be amended by adding thereafter the
3 following:

4 "Any employee who is a fully insured individual or who
5 is a currently insured individual and had been employed by a
6 political subdivision for a total of ten (10) years before
7 the effective date of this act and who, before reaching the
8 retirement age, as fixed in this chapter, becomes physically
9 or mentally totally disabled for useful and efficient service
10 by reason of disease or injury not due to vicious habits,
11 intemperance or wilful misconduct on the part of the employee,
12 shall, upon his or her own application, or upon the request or
13 order of the head of the department, branch or individual
14 office concerned, be retired on an annuity based upon ninety
15 (90) percent of the primary insurance benefit. No employee
16 shall be retired under the provisions of this subsection until
17 examined by a physician appointed by the employer, at the
18 expense of the employer, or by a board of physicians or
19 surgeons designated, one (1) by the employer, one (1) by the
20 employee, and the third to be selected by the two so appointed,
21 and found to be disabled in the degree and in the manner

22 specified herein, the expense of said examining board to be
23 borne by the employer. At the discretion of the commission,
24 every employee retired under the provisions hereof, unless
25 the disability for which retired is permanent in character,
26 may, at the expiration of one (1) year from the date of such
27 retirement and annually thereafter until reaching the retirement
28 age, as in this chapter provided, be examined in the same manner
29 as above provided for examination of applicants claiming
30 disability. If the employee is restored to his former earning
31 capacity before reaching the retirement age, disability payments
32 shall be discontinued from the date of the medical examination
33 showing such recovery. Refusal by the employee to submit to
34 examination shall justify suspension of disability benefits
35 until such time as he does appear. The employer is hereby
36 authorized to request of the commission such medical or other
37 examination as he shall deem necessary to determine the facts
38 relative to the nature and degree of disability of any former
39 employee retired hereunder.”

1 Sec. 5. That section ninety-seven point eight (97.8), Code
2 1946, be amended by inserting after the comma (,) following the
3 figures “1946” in line nine (9) thereof the following: “and
4 until July 1”; and further amend said section by striking out
5 the word and figures “and 1948” in lines nine (9) and ten (10)
6 thereof; and further amend said section by striking out the
7 period (.) after the word “employee” in line twelve (12) of
8 said section and inserting after the word “employee” the

9 following: "and from July 1, 1947 to January 1, 1949, the tax
10 shall equal two (2) percent of such wages to be paid by each
11 employer and each employee."; and further amend said section by
12 striking out the words "two per cent" in line fourteen (14) of
13 said section and inserting in lieu thereof the words "two and
14 one-half (2½) percent".

1 Sec. 6. All laws or parts of laws in conflict herewith are
2 hereby repealed.