

Overview of Portability Provisions

As defined in Senate Bill 09-282, the entire DPSRS membership along with existing DPS hourly employees and all future DPS employees as of January 1, 2010, will be placed into a new PERA division to be known as the DPS division. While DPSRS will not exist after January 1, 2010, your service and account balance will remain intact under the DPSRS benefit structure. To distinguish this benefit structure from any of the structures currently offered by PERA, it is referred to in this fact sheet as the DPSRS benefit structure.

This fact sheet outlines the portability provisions as defined in Senate Bill 09-282, which impacts members moving between the PERA DPS Division and other PERA Divisions.

The provisions of Senate Bill 09-282 provide that DPSRS active and inactive members and DPSRS retirees with accounts at PERA may have the ability to make a choice to accrue a PERA benefit or continue to build a benefit based on their current DPSRS benefit structure. The following scenarios in this fact sheet outline when this choice would be triggered for you.

Portability Rules

Regardless of your membership status, the following rules apply to portability:

- The election option to decide which benefit to build is a one-time irrevocable decision.
- Only one benefit may be accrued on or after the merger date of January 1, 2010.
- The benefit not elected will be frozen but will earn regular interest at the rate set by PERA.
- Portability does not combine service credit.
- If no election is made by the member within 60 calendar days of the date the choice is triggered, the default will be with the benefit structure with the greatest amount of service credit.

PERA Members Without a DPSRS Account

If you are a PERA member without an account at DPSRS, these portability provisions do not apply to you. On or after January 1, 2010, DPS and DPS charter schools will be PERA-affiliated employers and you can continue to build on your PERA benefit should you decide to pursue employment at DPS or a DPS charter school.



Active DPSRS Members—Portability Provisions

If Prior to January 1, 2010 You Are	And On or After January 1, 2010 You	Then You Will
An active DPSRS member with no PERA account or with an inactive PERA account	Remain employed by DPS or a DPS charter school	<ul style="list-style-type: none"> • Continue to accrue a PERA benefit under the DPSRS benefit structure
An active DPSRS member with no PERA account	Are hired by a PERA-affiliated employer other than DPS or a DPS charter school	<ul style="list-style-type: none"> • Be given a choice to either continue to accrue a PERA benefit under the DPSRS benefit structure –OR– • Begin to accrue a benefit under the PERA benefit structure
An active DPSRS member with an inactive PERA account	Are hired by a PERA-affiliated employer other than DPS or a DPS charter school	<ul style="list-style-type: none"> • Be given the choice to either continue to accrue a PERA benefit under the DPSRS benefit structure –OR– • Resume accruing a benefit under the PERA benefit structure
An active member in both DPSRS and PERA	Continue employment with your same employers	<ul style="list-style-type: none"> • Have 60 days from January 1, 2010, to choose to continue to accrue a PERA benefit under the DPSRS Benefit Structure –OR– • Continue to accrue a benefit under the PERA benefit structure
An active DPSRS member who is a PERA retiree	Continue employment with your same employer	<ul style="list-style-type: none"> • Continue to accrue a PERA benefit under the DPSRS benefit structure (PERA's working after retirement rules will not apply)
An active DPSRS member who is a PERA retiree	Begin employment with a PERA-affiliated employer other than your pre-merger employer	<ul style="list-style-type: none"> • Be subject to PERA's working after retirement rules for that employment

DPSRS Retirees—Portability Provisions

If Prior to January 1, 2010 You Are	And On or After January 1, 2010 You	Then You Will
A DPSRS retiree, without a PERA account	Are hired by a PERA-affiliated employer including DPS or a DPS charter school	Be subject to PERA's working after retirement rules
A DPSRS retiree with an inactive PERA account	Are hired by a PERA-affiliated employer including DPS or a DPS charter school	Be subject to PERA's working after retirement rules -AND- <ul style="list-style-type: none"> • Be able to refund your inactive PERA account -OR- <ul style="list-style-type: none"> • Be able to begin receiving PERA retirement benefits upon meeting PERA's retirement eligibility requirements
A DPSRS retiree with an inactive PERA account	Are hired by a PERA-affiliated employer including DPS or a DPS charter school and you decide to suspend your retirement benefit under the DPSRS benefit structure	Be given a choice to either build a second benefit segment under the DPSRS benefit structure -OR- Resume accruing a benefit under the PERA benefit structure
A DPSRS retiree with an active PERA account	Continue employment with your same employer	Continue to accrue a benefit under the PERA benefit structure (PERA's working after retirement rules will not apply)
A DPSRS retiree with an active PERA account	Begin employment with a PERA-affiliated employer other than your pre-merger employer, including DPS or a DPS charter school	Be subject to PERA's working after retirement rules for that employment
A DPSRS and PERA retiree	Begin employment with any PERA-affiliated employer including DPS or a DPS charter school	Be subject to PERA's working after retirement limits on both benefits
A DPSRS and PERA retiree	Decide to suspend your benefit, (you must suspend <u>both</u> accounts)	Be given the choice to either build a second benefit segment under the DPSRS benefit structure -OR- Build on your benefit under the PERA benefit structure

Inactive DPSRS Members—Portability Provisions

If You Are	And On or After January 1, 2010 You	Then You Will
An inactive DPSRS member without a PERA account	Are hired by any PERA-affiliated employer including DPS or a DPS charter school	<ul style="list-style-type: none"> • Be given a choice to either resume accruing a PERA benefit under the DPSRS benefit structure –OR– • Begin to accrue a benefit under the current PERA benefit structure
An inactive DPSRS and inactive PERA member	Are hired by any PERA-affiliated employer including DPS or a DPS charter school	<ul style="list-style-type: none"> • Be given a choice to either resume accruing a PERA benefit under the DPSRS benefit structure –OR– • Resume accruing a benefit under the PERA benefit structure
An inactive DPSRS member with an active PERA account	Continue employment with your same employer	<ul style="list-style-type: none"> • Have 60 days from January 1, 2010, to choose to resume accruing a PERA benefit under the DPSRS benefit structure –OR– • Continue to accrue a benefit under the PERA benefit structure
An inactive DPSRS member and a PERA retiree	Are hired by any PERA-affiliated employer including DPS or a DPS charter school after retirement	<ul style="list-style-type: none"> • Be subject to PERA's working after retirement rules –AND– • Be able to refund your inactive DPSRS account –OR– • Be able to begin receiving DPSRS retirement benefits upon meeting the DPSRS retirement eligibility requirements
An inactive DPSRS member and a PERA retiree	Are hired by a PERA-affiliated employer including DPS or a DPS charter school and decide to suspend your benefit	<ul style="list-style-type: none"> • Be given the choice to either build on your PERA benefit under the PERA benefit structure –OR– • Resume accruing a PERA benefit under the DPSRS benefit structure