

§18201. Local district participation**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

A local district may contract for the participation of its employees in the Participating Local District Retirement Program under this chapter any time before the date the board puts into operation the consolidated retirement plan for participating local districts under chapter 427. After the date on which the consolidated plan described in chapter 427 is put into operation, a local district may contract for participation only under the consolidated plan. [PL 2007, c. 491, §182 (AMD).]

1. Local districts that are not municipalities. For a local district that is not a municipality, as that term is defined in Title 1, section 72, subsection 13, the executive body of the district must approve participation and must file with the board a duly certified copy of the resolution approving the participation and the extent of the benefits which are to apply and setting the date of establishment as provided under subsection 4.

[PL 1985, c. 801, §§5, 7 (NEW).]

2. Local districts that are municipalities. For a local district that is a municipality, as that term is defined in Title 1, section 72, subsection 13, the legislative body of the municipality must approve participation and must file with the board a record of the vote of the legislative body, certified by the clerk of the municipality, approving the participation and the extent of the benefits which are to apply and setting the date of establishment as provided under subsection 4.

[PL 1985, c. 801, §§5, 7 (NEW).]

3. (TEXT EFFECTIVE UNTIL CONTINGENCY: See PL 1991, c. 619, §18) Exempt employees. The local district shall designate in its approval any class of employees that the district determines to be exempt from this Part.

[PL 1991, c. 619, §11 (AMD); PL 1991, c. 619, §18 (AFF).]

3. (TEXT EFFECTIVE ON CONTINGENCY: See PL 1991, c. 619, §18) Exempt employees. The local district shall designate in its approval any class of employees, otherwise provided for by local pension provisions, who are exempt from this Part.

[PL 1985, c. 801, §§5, 7 (NEW).]

3-A. Compliance with federal law. The local district is responsible for compliance with 26 Code of Federal Regulations, Part 31, with Section 401 of the United States Internal Revenue Code and with other relevant federal law and rules with respect to its employees, including employees to whom section 18252-A applies.

[PL 1997, c. 709, §1 (NEW).]

4. Date of establishment. The date when the participation of the employees of a participating local district begins shall be set by the district. This date, which shall be no later than 6 months after the date of approval, shall be considered as the date of establishment for a participating local district under section 17101, subsection 3.

[PL 1985, c. 801, §§5, 7 (NEW).]

5. Clarification of certified actions. The chief administrative officer of the participating local district may clarify in writing any ambiguity in the certified action, and the retirement system may rely on that clarification.

[PL 2025, c. 221, §32 (NEW).]

SECTION HISTORY

PL 1985, c. 801, §§5,7 (NEW). PL 1989, c. 811, §2 (AMD). PL 1991, c. 619, §11 (AMD). PL 1993, c. 250, §2 (AMD). PL 1997, c. 709, §1 (AMD). PL 2007, c. 491, §182 (AMD). PL 2025, c. 221, §32 (AMD).

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