

## HOUSE BILL No. 2996

By Committee on Appropriations

3-6

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9 AN ACT concerning retirement and pensions; relating to the Kansas  
10 public employees retirement system and systems thereunder; employ-  
11 ment after retirement; minimum retirement benefits for certain retir-  
12 ants; amending K.S.A. 74-4950j and K.S.A. 2005 Supp. 74-4914 and  
13 repealing the existing sections.  
14

15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. K.S.A. 2005 Supp. 74-4914 is hereby amended to read as  
17 follows: 74-4914. (1) The normal retirement date for a member of the  
18 system shall be the first day of the month coinciding with or following  
19 termination of employment with any participating employer not followed  
20 by employment with any participating employer within 30 days and the  
21 attainment of age 65 or, commencing July 1, 1993, age 62 with the com-  
22 pletion of 10 years of credited service or the first day of the month co-  
23 inciding with or following the date that the total of the number of years  
24 of credited service and the number of years of attained age of the member  
25 is equal to or more than 85. In no event shall a normal retirement date  
26 for a member be before six months after the entry date of the participating  
27 employer by whom such member is employed. A member may retire on  
28 the normal retirement date or on the first day of any month thereafter  
29 upon the filing with the office of the retirement system of an application  
30 in such form and manner as the board shall prescribe. Nothing herein  
31 shall prevent any person, member or retirant from being employed, ap-  
32 pointed or elected as an employee, appointee, officer or member of the  
33 legislature. Elected officers may retire from the system on any date on  
34 or after the attainment of the normal retirement date, but no retirement  
35 benefits payable under this act shall be paid until the member has ter-  
36 minated such member's office.

37 (2) No retirant shall make contributions to the system or receive serv-  
38 ice credit for any service after the date of retirement.

39 (3) Any member who is an employee of an affiliating employer pur-  
40 suant to K.S.A. 74-4954b and amendments thereto and has not withdrawn  
41 such member's accumulated contributions from the Kansas police and  
42 firemen's retirement system may retire before such member's normal  
43 retirement date on the first day of any month coinciding with or following

1 the attainment of age 55.

2 (4) Any member may retire before such member's normal retirement  
3 date on the first day of any month coinciding with or following termination  
4 of employment with any participating employer not followed by employ-  
5 ment with any participating employer within 30 days and the attainment  
6 of age 55 with the completion of 10 years of credited service, but in no  
7 event before six months after the entry date, upon the filing with the  
8 office of the retirement system of an application for retirement in such  
9 form and manner as the board shall prescribe.

10 (5) *On or after July 1, 2006, for any retirant who is first employed or*  
11 *appointed in or to any position or office by a participating employer other*  
12 *than a participating employer for which such retirant was employed or*  
13 *appointed during the final two years of such retirant's participation, such*  
14 *participating employer shall pay to the system the actuarially determined*  
15 *employer contribution and the statutorially prescribed employee contri-*  
16 *bution based on the retirant's compensation during any such period of*  
17 *employment or appointment.* If a retirant who retired on or after July 1,  
18 1988, is employed or appointed in or to any position or office for which  
19 compensation for service is paid in an amount equal to \$15,000 or more,  
20 *or commencing in calendar year 2006, and all calendar years thereafter,*  
21 *\$20,000 or more* in any one such calendar year, by any participating em-  
22 ployer for which such retirant was employed or appointed during the final  
23 two years of such retirant's participation, such retirant shall not receive  
24 any retirement benefit for any month for which such retirant serves in  
25 such position or office. The participating employer shall report to the  
26 system within 30 days of when the compensation paid to the retirant is  
27 equal to or exceeds any limitation provided by this section. Any retirant  
28 employed by a participating employer shall not make contributions nor  
29 receive additional credit under such system for such service except as  
30 provided by this section. Upon request of the executive director of the  
31 system, the secretary of revenue shall provide such information as may  
32 be needed by the executive director to carry out the provisions of this  
33 act. The provisions of this subsection shall not apply to retirants employed  
34 as substitute teachers or officers, employees or appointees of the legis-  
35 lature. The provisions of this subsection shall not apply to members of  
36 the legislature prior to January 8, 2000. The provisions of this subsection  
37 shall not apply to any other elected officials prior to the term of office of  
38 such elected official which commences on or after July 1, 2000. The pro-  
39 visions of this subsection shall apply to any other elected official on and  
40 after the term of office of such other elected official which commences  
41 on or after July 1, 2000. Except as otherwise provided, commencing Jan-  
42 uary 8, 2001, the provisions of this subsection shall apply to members of  
43 the legislature. For determination of the amount of compensation paid

1 pursuant to this subsection, for members of the legislature, compensation  
2 shall include any amount paid as provided pursuant to subsections (a),  
3 (b), (c) and (d) of K.S.A. 46-137a, and amendments thereto, or pursuant  
4 to K.S.A. 46-137b, and amendments thereto. Notwithstanding any pro-  
5 vision of law to the contrary, when a member of the legislature is paid an  
6 amount of compensation of \$15,000 or more in any one calendar year,  
7 the member may continue to receive any amount provided in subsections  
8 (b) and (d) of K.S.A. 46-137a, and amendments thereto, and still be en-  
9 titled to receive such member's retirement benefit. Commencing July 1,  
10 2005, and ending June 30, 2008, the provisions of this subsection shall  
11 not apply to retirants who either retired under the provisions of subsec-  
12 tion (1), or, if they retired under the provisions of subsection (4), were  
13 retired more than 30 days prior to the effective date of this act and are  
14 licensed professional nurses or licensed practical nurses employed by the  
15 state of Kansas at the Osawatomie state hospital, Rainbow mental health  
16 facility, Larned state hospital, Parsons state hospital and training center,  
17 Kansas neurological institute, the Kansas soldiers' home or the Kansas  
18 veterans' home. The participating employer of such retirant shall pay to  
19 the system the actuarially determined employer contribution based on  
20 the retirant's compensation during any such period of employment.

21 (6) For purposes of this section, any employee of a local governmental  
22 unit which has its own pension plan who becomes an employee of a  
23 participating employer as a result of a merger or consolidation of services  
24 provided by local governmental units, which occurred on January 1, 1994,  
25 may count service with such local governmental unit in determining  
26 whether such employee has met the years of credited service require-  
27 ments contained in this section.

28 Sec. 2. K.S.A. 74-4950j is hereby amended to read as follows: 74-  
29 4950j. The retirement benefit, pension or annuity payments to each re-  
30 tirant of the state school retirement system who retired prior to January  
31 1, 1971, and who had at least 20 years or more of service credit, shall:

32 (a) For retirement benefit, pension or annuity payments accruing af-  
33 ter June 30, 2001, be in an amount as otherwise provided by law but shall  
34 be an amount at least equal to \$500;

35 (b) *for retirement benefit, pension or annuity payments accruing after*  
36 *June 30, 2006, be in an amount as otherwise provided by law but shall*  
37 *be an amount of at least \$625; and*

38 (c) *for retirement benefit, pension and annuity payments accruing*  
39 *after June 30, 2007, be in an amount as otherwise provided by law but*  
40 *shall be in an amount at least equal to \$750.*

41 Sec. 3. K.S.A. 74-4950j and K.S.A. 2005 Supp. 74-4914 are hereby  
42 repealed.

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1     Sec. 4. This act shall take effect and be in force from and after its  
2     publication in the statute book.