

HOUSE BILL No. 2731

By Committee on Pensions and Benefits

2-10

1 AN ACT concerning retirement and pensions; relating to the Kansas public
2 employees retirement system; members of the legislature; employee
3 contributions and benefits; rate of compensation; amending K.S.A.
4 2011 Supp. 74-4995 and repealing the existing section.
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2011 Supp. 74-4995 is hereby amended to read as
8 follows: 74-4995. (a) Employer and employee contributions shall be
9 governed by the provisions of K.S.A. 74-4919 and 74-4920, and
10 amendments thereto. For purposes of contributions to and benefits under
11 the Kansas public employees retirement system, compensation of a
12 member of the legislature under this act shall be a monthly amount equal
13 to: (1) The compensation to which the member was entitled for services as
14 a member of the legislature during the ~~period January 15 to February 14,~~
15 ~~inclusive,~~ *first 30 calendar days* of the most recent session in which the
16 member has served; and (2) any amount to which the member makes an
17 election pursuant to this subsection. *In addition to the provisions of*
18 *subsection (a)(1) and any election made pursuant to this subsection, the*
19 *compensation of a member shall include an additional five days of*
20 *compensation to which such member was entitled for services as a*
21 *member of the legislature of the most recent session in which the member*
22 *has served beyond the days provided for in subsection (a)(1).* In addition
23 to the provisions of subsection (a)(1), a member of the legislature may
24 elect to participate with a rate of compensation that includes: (A) For
25 service as a member after July 18, 1982, a monthly amount equal to $\frac{1}{12}$ of
26 the annualized amount received for monthly allowance under subsection
27 (c) of K.S.A. 46-137a, and amendments thereto; (B) a monthly amount
28 equal to $\frac{1}{12}$ of the annualized amount received for expenses allowance
29 under subsection (b) of K.S.A. 46-137a, and amendments thereto; or (C)
30 an amount equal to the combined amounts provided for in subsections (2)
31 (A) and (2)(B). A member of the legislature who has filed an election to
32 become a member of the system pursuant to the provisions of K.S.A. 74-
33 4992, and amendments thereto, prior to July 1, 2006, shall file an election
34 with the system to include any amounts specified in subsection (2)(A), (2)
35 (B) or (2)(C) prior to August 1, 2006, except that nothing contained in this
36 act shall be construed to permit a member of the legislature who has made

1 an election pursuant to this section prior to the effective date of this act to
2 revoke any such election previously made by such member. In the event
3 that any such member fails to file such election prior to August 1, 2006, it
4 shall be presumed that such member has elected to not include any
5 amounts specified in subsection (2)(A), (2)(B) or (2)(C), and participate at
6 a rate of compensation that includes only the amount provided in
7 subsection (a)(1). A member of the legislature who files an election to
8 become a member of the system pursuant to the provisions of K.S.A. 74-
9 4992, and amendments thereto, on and after July 1, 2006, shall file an
10 election with the system to include any amounts specified in subsection (2)
11 (A), (2)(B) or (2)(C) at the same time that such member files the election
12 to become a member of the system. In the event that any such member
13 fails to file such election, it shall be presumed that such member has
14 elected to not include any amounts specified in subsection (2)(A), (2)(B)
15 or (2)(C), and participate at a rate of compensation that includes only the
16 amount provided in subsection (a)(1).

17 (b) The employee rate of contribution shall be applied to any amounts
18 to which a member has elected pursuant to the provisions of subsection (a)
19 (2). The employee and employer contributions shall be remitted to the
20 system quarterly with a report of such contributions as may be required by
21 the board. Any changes in a member's rate of compensation and
22 contributions as a result of any election mandated by this section for a
23 member of the legislature who had filed an election to become a member
24 of the system prior to July 1, 2006, shall be effective on October 1, 2006.
25 All such elections pursuant to this section shall be in the form and manner
26 prescribed by the board of trustees.

27 (c) Any member of the legislature making the election pursuant to
28 subsection (a)(2) may not revoke such election while they remain a
29 participating employee for service as a member of the legislature.

30 Sec. 2. K.S.A. 2011 Supp. 74-4995 is hereby repealed.

31 Sec. 3. This act shall take effect and be in force from and after its
32 publication in the statute book.

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