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**HOUSE BILL No. 2641**

By Representatives Gordon, Flora, Hermes, Hutchins, Kirk,  
Kuether, Mays, Nichols and R. Toelkes

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10 AN ACT concerning school employment; amending K.S.A. 2001 Supp.  
11 74-4940 and repealing the existing section.

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

14 Section 1. K.S.A. 2001 Supp. 74-4940 is hereby amended to read as  
15 follows: 74-4940. (a) Subject to the provisions of subsection (b), all mem-  
16 bers in school employment who are subject to the continuing contract  
17 law shall be paid their contractual compensation in not less than 12 sub-  
18 stantially equal installments, paid once, or more often, each month ~~com-~~  
19 ~~mencing in September of each school year.~~

20 (b) Upon written authorization from any member in school employ-  
21 ment who is subject to the continuing contract law, an employer shall pay  
22 the balance of such member's contractual compensation for the school  
23 year in one payment upon completion of all contractual obligations of the  
24 member. The authorization shall be filed with the employer not later than  
25 April 1 of the school year in and for which the balance payment is first  
26 authorized. A written authorization under this subsection shall remain in  
27 effect until revoked in writing by the member filing the authorization. So  
28 long as the authorization of such member remains in effect, the balance  
29 of the member's contractual compensation shall be paid each school year  
30 in accordance with the provisions of this subsection. Such payment shall  
31 be made no later than June 30 of the school year. For the purposes of  
32 the Kansas public employees retirement system, the employer shall make  
33 the appropriate employee contribution deduction from the payment and  
34 shall report and remit the amount so deducted to the executive director  
35 at the time monthly deductions and quarterly reports would normally be  
36 made under K.S.A. 74-4919, and amendments thereto, if the authoriza-  
37 tion for one payment was not in effect.

38 (c) Notwithstanding the provisions of subsections (a) and (b), each  
39 member in school employment who is subject to the continuing contract  
40 law, who has completed the balance of such member's contractual obli-  
41 gations and retires prior to the end of a school year under K.S.A. 74-4937,  
42 and amendments thereto, shall be paid the balance of the member's con-  
43 tractual compensation in one payment during the calendar month im-

1 immediately preceding the date of retirement. For the purposes of the Kan-  
2 sas public employees retirement system, the employer shall make the  
3 appropriate employee contribution deduction from the payment and shall  
4 report and remit the amount so deducted to the executive director at the  
5 time monthly deductions and reports are made under K.S.A. 74-4919,  
6 and amendments thereto, for the period in which the payment is made  
7 except that such report and remittance shall not include any amount  
8 which would have been reported normally in the next ensuing period  
9 under subsection (b). No employee contribution deduction shall be made  
10 from such amount and such amount shall not be included as compensa-  
11 tion in determining the member's final average salary.

12 (d) An employer of members in school employment who are not sub-  
13 ject to the continuing contract law may adopt a policy providing that any  
14 or all such members shall be paid their contractual compensation each  
15 school year in not less than 12 substantially equal installments, paid once,  
16 or more often, each month commencing in the first month of any such  
17 member's school employment. A copy of any such policy shall be provided  
18 to each such member in school employment.

19 (e) As used in this section, the term "school employment" means the  
20 employment of a member when employed by an eligible employer as  
21 specified in any of subsections (1), (2) or (3) of K.S.A. 74-4931, and  
22 amendments thereto.

23 Sec. 2. K.S.A. 2001 Supp. 74-4940 is hereby repealed.

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

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