

3
4 **SENATE BILL No. 530**

5
6 By Committee on Public Health and Welfare

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8 2-6

9
10 AN ACT concerning employment after retirement; amending K.S.A.
11 2001 Supp. 74-4914 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. 74-4914 is hereby amended to read as
15 follows: 74-4914. (1) The normal retirement date for a member of the
16 system shall be the first day of the month coinciding with or following
17 termination of employment with any participating employer not followed
18 by employment with any participating employer within 30 days and the
19 attainment of age 65 or, commencing July 1, 1993, age 62 with the com-
20 pletion of 10 years of credited service or the first day of the month co-
21 inciding with or following the date that the total of the number of years
22 of credited service and the number of years of attained age of the member
23 is equal to or more than 85. In no event shall a normal retirement date
24 for a member be before six months after the entry date of the participating
25 employer by whom such member is employed. A member may retire on
26 the normal retirement date or on the first day of any month thereafter
27 upon the filing with the office of the retirement system of an application
28 in such form and manner as the board shall prescribe. Nothing herein
29 shall prevent any person, member or retirant from being employed, ap-
30 pointed or elected as an employee, appointee, officer or member of the
31 legislature. Elected officers may retire from the system on any date on
32 or after the attainment of the normal retirement date, but no retirement
33 benefits payable under this act shall be paid until the member has ter-
34 minated such member's office.

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

37 (3) Any member who is an employee of an affiliating employer pur-
38 suant to K.S.A. 74-4954b and amendments thereto and has not withdrawn
39 such member's accumulated contributions from the Kansas police and
40 firemen's retirement system may retire before such member's normal
41 retirement date on the first day of any month coinciding with or following
42 the attainment of age 55.

43 (4) Any member may retire before such member's normal retirement

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

8 (5) If a retirant who retired on or after July 1, 1988, is employed or
9 appointed in or to any position or office for which compensation for serv-
10 ice is paid in an amount equal to \$15,000 or more in any one such calendar
11 year, by any participating employer for which such retirant was employed
12 or appointed during the final two years of such retirant's participation,
13 such retirant shall not receive any retirement benefit for any month for
14 which such retirant serves in such position or office. The participating
15 employer shall report to the system within 30 days of when the compen-
16 sation paid to the retirant is equal to or exceeds any limitation provided
17 by this section. Any retirant employed by a participating employer shall
18 not make contributions nor receive additional credit under such system
19 for such service except as provided by this section. Upon request of the
20 executive director of the system, the secretary of revenue shall provide
21 such information as may be needed by the executive director to carry out
22 the provisions of this act. The provisions of this subsection shall not apply
23 to retirants employed as substitute teachers, ~~to retirants who are licensed~~
24 ~~nurses employed by an institution under the jurisdiction and control of~~
25 ~~the secretary of social and rehabilitation services~~ or ~~to~~ officers, employees
26 or appointees of the legislature. **Commencing on the effective date of**
27 **this act, and ending three years thereafter, the provisions of this**
28 **subsection shall not apply to retirants who are licensed nurses em-**
29 **ployed by an institution under the jurisdiction and control of the**
30 **secretary of social and rehabilitation services or the veterans com-**
31 **mission during such period who either retired under the provisions**
32 **of subsection (1), or, if such retirants retired under the provisions**
33 **of subsection (4), were retired more than 30 days prior to the effec-**
34 **tive date of this act, except that the provisions of this act shall con-**
35 **tinue to apply to any such retirant employed during such period as**
36 **provided in this act, on and after three years after the effective date**
37 **of this act.** The provisions of this subsection shall not apply to members
38 of the legislature prior to January 8, 2000. The provisions of this subsec-
39 tion shall not apply to any other elected officials prior to the term of office
40 of such elected official which commences on or after July 1, 2000. The
41 provisions of this subsection shall apply to any other elected official on
42 and after the term of office of such other elected official which com-
43 mences on or after July 1, 2000. Except as otherwise provided, com-

1 mencing January 8, 2001, the provisions of this subsection shall apply to
2 members of the legislature. For determination of the amount of com-
3 pensation paid pursuant to this subsection, for members of the legislature,
4 compensation shall include any amount paid as provided pursuant to sub-
5 sections (a), (b), (c) and (d) of K.S.A. 46-137a, and amendments thereto,
6 or pursuant to K.S.A. 46-137b, and amendments thereto. Notwithstand-
7 ing any provision of law to the contrary, when a member of the legislature
8 is paid an amount of compensation of \$15,000 or more in any one calendar
9 year, the member may continue to receive any amount provided in sub-
10 sections (b) and (d) of K.S.A. 46-137a, and amendments thereto, and still
11 be entitled to receive such member's retirement benefit.

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

19 Sec. 2. K.S.A. 2001 Supp. 74-4914 is hereby repealed.

20 Sec. 3. This act shall take effect and be in force from and after its
21 publication in the Kansas register.

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