

HOUSE BILL No. 2913

By Committee on Appropriations

2-25

9 AN ACT concerning retirement and pensions; relating to the Kansas po-
10 lice and firemen's retirement system; affiliation; membership; em-
11 ployee and employer contributions; capitol area security patrol.
12

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

14 Section 1. (a) (1) Notwithstanding the provisions of K.S.A. 74-4971
15 and amendments thereto, on or after the effective date of this act, the
16 Kansas highway patrol shall affiliate with the Kansas police and firemen's
17 retirement system established under the provisions of K.S.A. 74-4951 *et*
18 *seq.* and amendments thereto pursuant to the provisions of this act for
19 membership in the system of members of the capitol area security patrol.
20 For purposes of such affiliation for membership in the system of members
21 of the capitol area security patrol, the Kansas highway patrol shall be
22 considered a new participating employer. The Kansas highway patrol shall
23 make application for affiliation with such system in the manner provided
24 by K.S.A. 74-4954 and amendments thereto, to be effective on July 1 next
25 following application. The Kansas highway patrol shall affiliate for mem-
26 bership in the system of members of the capitol area security patrol for
27 participating service credit.

28 (2) The Kansas highway patrol shall appropriate and pay a sum suf-
29 ficient to satisfy any obligations as certified by the board of trustees of
30 the retirement system and the employer contributions of the Kansas high-
31 way patrol shall be as provided in K.S.A. 74-4967 and amendments
32 thereto.

33 (b) (1) Each member of the capitol area security patrol employed by
34 the Kansas highway patrol on the date of affiliation, may become a mem-
35 ber of the Kansas police and firemen's retirement system on the first day
36 of the payroll period of such member, coinciding with or following the
37 entry date of the Kansas highway patrol as provided in this section, only
38 by filing with the board of trustees of the system, on or before the entry
39 date of the Kansas highway patrol as provided in this section, a written
40 election to become a member of the system. Failure to file such written
41 election shall be presumed to be an election not to become a member of
42 the system. Such election, whether to become or not to become a mem-
43 ber, shall be irrevocable.

1 (2) Each member of the capitol area security patrol who is on an
2 authorized leave of absence or is in the military service on the entry date
3 of the Kansas highway patrol as provided in this section may become a
4 member of the Kansas police and firemen's retirement system on the first
5 day of the first payroll period of such member, coinciding with such mem-
6 ber's return to active employment and payroll of the Kansas highway
7 patrol, only by filing with the board of trustees of the system within 10
8 days after such return to active employment a written election to become
9 a member of the system. Failure to file such written election shall be
10 presumed to be an election not to become a member of the system. Such
11 election, whether to become a member or not to become a member, shall
12 be irrevocable.

13 (c) Every person who is employed as a member of the capitol area
14 security patrol on or after the entry date of the Kansas Highway patrol
15 into the Kansas police and firemen's retirement system as provided in
16 this section shall become a member of the Kansas police and firemen's
17 retirement system on the first day of such employment.

18 (d) If the Kansas highway patrol affiliates as provided in this act and
19 each member of the capitol area security patrol who elects to become a
20 member as provided in this act, the Kansas highway patrol and each such
21 member shall be subject to the provisions of K.S.A. 74-4951 *et seq.* and
22 amendments thereto as applicable.

23 (e) The division of the budget and the governor shall include in the
24 budget and in the budget request for appropriations for personnel serv-
25 ices the amount required to satisfy the employer's obligation under this
26 act as certified by the board of trustees of the system, and shall present
27 the same to the legislature for allowance and appropriations.

28 (f) The determination of retirement, death or disability benefits shall
29 be computed upon the basis of "credited service" as used in K.S.A. 74-
30 4951 *et seq.*, and amendments thereto, but shall include only participating
31 service with the person's participating employer, commencing on and
32 after the effective date of affiliation by the participating employer with
33 the Kansas police and fireman's retirement system.

34 Sec. 2. This act shall take effect and be in force from and after its
35 publication in the Kansas register.