

SESSION OF 2003

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 13**

As Amended by Senate Committee on  
Ways and Means

**Brief\***

The bill, as amended, would revise several KPERS statutes. The bill would clarify that a partial lump sum option may be selected by a joint annuitant if the member dies before retiring; update statutory references to the current Internal Revenue Service code; and correct an erroneous reference in a Kansas Police and Fireman's Retirement System law.

**Background**

The bill was recommended by the Joint Committee on Pensions, Investments and Benefits in order to correct or resolve several problems identified by the KPERS Board. The Senate Committee amended the bill to clarify that a surviving spouse of a member, who dies before retirement, may elect any option in lieu of receiving the member's contributions, *including election of a partial lump sum option (PLSO) where up to 50 percent of benefits may be taken at time of retirement.* The KPERS Executive Director testified in support of the bill as introduced, and indicated that the Legislature needed to make a policy choice regarding the PLSO amendment. Current law has been interpreted by KPERS to deny surviving spouses an election of the PLSO. However, the law is not consistent in whether the Legislature previously determined that the election should be denied.

There is no cost for the bill.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>