

SENATE BILL No. 129

By Committee on Judiciary

1-30

1 AN ACT concerning judges; relating to retirement ages; raising the
2 retirement age of district magistrate judges regularly admitted to
3 practice law in Kansas serving in counties with 10,000 or fewer people;
4 amending K.S.A. 20-2608 and repealing the existing section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 20-2608 is hereby amended to read as follows: 20-
8 2608. (a) (1) Any judge may retire upon reaching age 65 or age 62 with the
9 completion of 10 years of credited service or the first day of the month
10 coinciding with or following the date that the total of the number of years
11 of credited service and the number of years of attained age of the judge is
12 equal to or more than 85 and upon making application for retirement to the
13 board.

14 (2) (A) *Except as provided in subparagraph (B), any judge upon*
15 *reaching age 75 shall retire, except that when any judge attains the age of*
16 *75, such judge may, if such judge desires, finish serving the term during*
17 *which such judge attains the age of 75.*

18 (B) *A district magistrate judge regularly admitted to practice law in*
19 *Kansas who serves in a county with a population of 10,000 or fewer*
20 *people upon reaching age 78 shall retire.*

21 (3) Upon retiring, each such judge as described in this subsection
22 shall receive retirement annuities as provided in K.S.A. 20-2610, and
23 amendments thereto.

24 (b) Notwithstanding the provisions of subsection (a), any judge who
25 is otherwise eligible to retire may retire upon reaching age 60 and, having
26 total years of service of not less than 10 years, and upon making
27 application to the board. Any such judge who retires on and after July 1,
28 1993, and prior to attaining the age of 62 shall receive a retirement annuity
29 pursuant to K.S.A. 20-2610, and amendments thereto, based upon the
30 normal retirement age of 62 reduced by an amount equal to the product of
31 (1) such annual retirement annuity payable had the judge retired on the
32 normal retirement date, multiplied by (2) the product of .2% multiplied by
33 the number of months' difference, to the nearest whole month, between the
34 judge's attained age at the time of retirement and age 62.

35 (c) Notwithstanding the provisions of subsection (a), on or after July
36 1, 1993, any judge who is otherwise eligible to retire may retire upon

1 reaching age 55 with the completion of 10 years of service, and upon
2 making application to the board. Any such judge who retires prior to
3 attaining the age of 62 pursuant to this subsection shall receive a
4 retirement annuity pursuant to K.S.A. 20-2610, and amendments thereto,
5 based upon the normal retirement age of 62 reduced by an amount equal to
6 the total of:

7 (1) (A) The product of such annual retirement annuity payable had
8 the judge retired on the normal retirement date, multiplied by (B) the
9 product of .6% multiplied by the number of months' difference, to the
10 nearest whole month, between the member's attained age at the time of
11 retirement and age 60; and

12 (2) for any judge who retired on or after July 1, 1993, the product of
13 such annual retirement annuity payable had the judge retired on the normal
14 retirement date, multiplied by 4.8%.

15 The provisions of this subsection apply to any judge who retires before
16 the age of 62 and has attained age 55 but has not attained age 60, with the
17 completion of 10 years of service.

18 Sec. 2. K.S.A. 20-2608 is hereby repealed.

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