

SENATE BILL No. 259

By Legislative Educational Planning Committee

1-9

1 AN ACT concerning retirement and pensions; relating to the Kansas public
2 employees retirement system and systems thereunder; pertaining to
3 employment after retirement for certain school employees; amending
4 K.S.A. 2011 Supp. 74-4937 and repealing the existing section.
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2011 Supp. 74-4937 is hereby amended to read as
8 follows: 74-4937. (1) The normal retirement date of a member of the
9 system who is in school employment and who is subject to K.S.A. 74-
10 4940, and amendments thereto, shall be the first day of the month
11 coinciding with or following termination of employment not followed by
12 employment with any participating employer within 60 days and the
13 attainment of age 65 or, commencing July 1, 1986, age 65 or age 60 with
14 the completion of 35 years of credited service or at any age with the
15 completion of 40 years of credited service, or commencing July 1, 1993,
16 any alternative normal retirement date already prescribed by law or age 62
17 with the completion of 10 years of credited service or the first day of the
18 month coinciding with or following the date that the total of the number of
19 years of credited service and the number of years of attained age of the
20 member is equal to or more than 85. Each member upon giving prior
21 notice to the appointing authority and the retirement system may retire on
22 the normal retirement date or the first day of any month thereafter.

23 (2) Any member who is in school employment and who is subject to
24 K.S.A. 74-4940, and amendments thereto, may retire before such
25 member's normal retirement date on the first day of the month coinciding
26 with or following termination of employment not followed by employment
27 with any participating employer within 60 days and the attainment of age
28 55 with the completion of 10 years of credited service, upon the filing with
29 the office of the retirement system of an application for retirement in such
30 form and manner as the board shall prescribe.

31 (3) Commencing July 1, 2009, the provisions of subsection (5) of
32 K.S.A. 74-4914, and amendments thereto, which relate to an earnings
33 limitation which when met or exceeded requires that the retirant not
34 receive a retirement benefit for any month for which such retirant serves in
35 a position as described herein shall not apply to retirants who either retired
36 under the provisions of subsection (1) of K.S.A. 74-4914, and amendments

1 thereto, related to normal retirement, or, if they retired under the
2 provisions of subsection (4) of K.S.A. 74-4914, and amendments thereto,
3 related to early retirement, were retired more than 60 days prior to the
4 effective date of this act, and are subsequently hired in a position that
5 requires a license under K.S.A. 72-1388, and amendments thereto, or other
6 provision of law. The provisions of this subsection do not apply to retirants
7 who retired under subsection (4) of K.S.A. 74-4914, and amendments
8 thereto, which relates to early retirement prior to age 62. Except as
9 otherwise provided, when a retirant is employed by the same school
10 district or a different school district with which such retirant was employed
11 during the final two years of such retirant's participation or employed by a
12 third-party entity who contracts services with a school district to fill a
13 position as described in this subsection, the participating employer of such
14 retirant shall pay to the system the actuarially determined employer
15 contribution based on the retirant's compensation during any such period
16 of employment plus 8%. The provisions of this subsection shall not apply
17 to retirants employed as substitute teachers. The provisions of subsection
18 (5) of K.S.A. 74-4914, and amendments thereto, shall be applicable to
19 retirants employed as described in this subsection, except as specifically
20 provided in this subsection. Nothing in this subsection shall be construed
21 to create any right, or to authorize the creation of any right, which is not
22 subject to amendment or nullification by act of the legislature. The
23 provisions of this subsection shall expire on July 1, ~~2012~~2015. After such
24 date, the Kansas public employees retirement system and its actuary shall
25 report the experience to the joint committee on pensions, investments and
26 benefits.

27 Sec. 2. K.S.A. 2011 Supp. 74-4937 is hereby repealed.

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

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