

## HOUSE BILL No. 2742

By Committee on Federal and State Affairs

2-26

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1 AN ACT concerning retirement and pensions; relating to the Kansas public  
2 employees retirement system and systems thereunder; affiliation and  
3 membership of the department of corrections in the Kansas police and  
4 firemen's retirement system; employee and employer contributions.  
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) On July 1, 2014, the department of corrections shall be  
8 an eligible employer as defined in K.S.A. 74-4952, and amendments  
9 thereto, and shall affiliate with the Kansas police and firemen's retirement  
10 system established under K.S.A. 74-4951 et seq., and amendments thereto.  
11 The department of corrections shall make application for affiliation with  
12 such system in the manner provided by K.S.A. 74-4954, and amendments  
13 thereto, to be effective on January 1 of the next year following application.

14 (b) The division of the budget and the governor shall include in the  
15 budget and in the budget request for appropriations for personnel services,  
16 the amount required to satisfy the employer's obligation under this section  
17 as certified by the board of trustees of the system, and shall present the  
18 same to the legislature for allowance and appropriation. Upon affiliation,  
19 the department of corrections shall pay to the system a sum sufficient to  
20 satisfy such obligations as certified by the board.

21 (c) The determination of retirement, death or disability benefits shall  
22 be computed upon the basis of "credited service," as used in K.S.A. 74-  
23 4951 et seq., and amendments thereto, but shall include only participating  
24 service with the department of corrections, commencing on and after the  
25 effective date of affiliation by the department of corrections with the  
26 Kansas police and firemen's retirement system.

27 (d) Any rights or benefits accruing to any security officer employed  
28 by the department of corrections prior to the effective date of affiliation  
29 shall be determined pursuant to the provisions of K.S.A. 74-4901 et seq.,  
30 and amendments thereto. Any security officer who becomes a member  
31 pursuant to this section, who has a vested retirement benefit pursuant to  
32 K.S.A. 74-4917, and amendments thereto, and who terminates  
33 employment prior to attaining a vested benefit pursuant to K.S.A. 74-4963,  
34 and amendments thereto, may have such service credited for purposes of  
35 computing retirement benefits pursuant to K.S.A. 74-4901 et seq., and  
36 amendments thereto.

1 (e) Every person who is employed as a security officer on or after the  
2 entry date of the department of corrections into the Kansas police and  
3 firemen's retirement system shall become a member of the Kansas police  
4 and firemen's retirement system.

5 (f) Except as otherwise provided by this act, any security officer  
6 employed by the department of corrections who becomes a member of the  
7 Kansas police and firemen's retirement system shall be subject to all the  
8 provisions of K.S.A. 74-4951 through 74-4970, and amendments thereto.

9 (g) Beginning with the first payment of compensation for services of  
10 a security officer after becoming a member of the Kansas police and  
11 firemen's retirement system, the employer shall deduct from the  
12 compensation of such member 7.15% as the employee contribution to the  
13 system. Such deductions shall be remitted, deposited and credited as  
14 provided in K.S.A 74-4965, and amendments thereto.

15 (h) As used in this section, "security officer" means any person, as  
16 certified to the board by the secretary of corrections, who is employed on  
17 or after the effective date of this act as an employee of the department of  
18 corrections:

19 (1) Who is in any position in a job class in the corrections officer  
20 class series, including, but not limited to, corrections officer I, corrections  
21 officer II, corrections supervisor I, corrections supervisor II and  
22 corrections supervisor III, or in a position in the corrections counselor I,  
23 corrections counselor II, unit team supervisor or corrections classification  
24 administrator job class, as all such job classes are described on January 1,  
25 2015, in the state job classification plan in effect for the classified service  
26 under the Kansas civil service act or who is in a position in any successor  
27 job class or classes that have been approved under K.S.A. 75-2938, and  
28 amendments thereto, and that have substantially the same duties and  
29 responsibilities thereof;

30 (2) who is promoted prior to or on or after January 1, 2015, from a  
31 position in any job class under paragraph (1) to any position in any job  
32 class of warden or deputy warden of any correctional institution, the job  
33 class of work release supervisor, the job class of training officer,  
34 correctional institutions, or the job class of corrections administrator —  
35 security specialist as such job classes are described on January 1, 2015, in  
36 the state job classification plan in effect for the classified service under the  
37 Kansas civil service act or to any successor job class or classes that are  
38 approved under K.S.A. 75-2938, and amendments thereto, and that have  
39 substantially the same duties and responsibilities, if the person was  
40 employed and had at least three consecutive years of service in any one or  
41 more positions in any one or more job classes described in paragraph (1)  
42 immediately preceding promotion to the position in a job class under this  
43 paragraph;

1 (3) who is in any position for which the duties and responsibilities  
2 directly and primarily involve operation of power plant facilities within  
3 any correctional institution and involve regular contact with inmates;

4 (4) who is in any position for which the duties and responsibilities  
5 directly and primarily involve the operation of the correctional industries  
6 activity of the department of corrections within a correctional institution  
7 and involve regular contact with inmates;

8 (5) who is in any position for which the duties and responsibilities  
9 directly and primarily involve supervision of food service operations  
10 within any correctional institution and involve regular contact with  
11 inmates; or

12 (6) who is in any position for which the duties and responsibilities  
13 directly and primarily involve supervision of maintenance operations  
14 within any correctional institution and involve regular contact with  
15 inmates.

16 (i) As used in this section, references to the department of corrections  
17 include correctional institutions as defined by K.S.A. 75-5202, and  
18 amendments thereto, unless the context requires otherwise.

19 Sec. 2. This act shall take effect and be in force from and after its  
20 publication in the statute book.