

HOUSE BILL No. 2073

By Committee on Judiciary

1-21

1 AN ACT concerning courts; relating to mandatory retirement; amending
2 K.S.A. 2014 Supp. 20-2608 and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2014 Supp. 20-2608 is hereby amended to read as
6 follows: 20-2608. (a) Any judge may retire upon reaching age 65 or age 62
7 with the completion of 10 years of credited service or the first day of the
8 month coinciding with or following the date that the total of the number of
9 years of credited service and the number of years of attained age of the
10 judge is equal to or more than 85 and upon making application for
11 retirement to the board. Any judge, *except a duly elected or appointed*
12 *judge of the court of appeals or justice of the supreme court*, upon
13 reaching age ~~75~~ 70 shall retire, except that when any judge attains the age
14 of ~~75~~ 70, such judge may, if such judge desires, finish serving the term
15 during which such judge attains the age of ~~75~~ 70. *Any duly elected or*
16 *appointed judge of the court of appeals or justice of the supreme court*
17 *upon reaching age 65 shall retire, except that when any such judge or*
18 *justice attains the age of 65, such judge or justice may, if such judge or*
19 *justice desires, finish serving the term during which such judge or justice*
20 *attains the age of 65.* Upon retiring, each such judge as described in this
21 subsection shall receive retirement annuities as provided in K.S.A. 20-
22 2610, and amendments thereto.

23 (b) Notwithstanding the provisions of subsection (a), any judge who
24 is otherwise eligible to retire may retire upon reaching age 60 and, having
25 total years of service of not less than 10 years, and upon making
26 application to the board. Any such judge who retires on and after July 1,
27 1993, and prior to attaining the age of 62 shall receive a retirement annuity
28 pursuant to K.S.A. 20-2610, and amendments thereto, based upon the
29 normal retirement age of 62 reduced by an amount equal to the product of
30 (1) such annual retirement annuity payable had the judge retired on the
31 normal retirement date, multiplied by (2) the product of 0.2% multiplied
32 by the number of months' difference, to the nearest whole month, between
33 the judge's attained age at the time of retirement and age 62.

34 (c) Notwithstanding the provisions of subsection (a), on or after July
35 1, 1993, any judge who is otherwise eligible to retire may retire upon
36 reaching age 55 with the completion of 10 years of service, and upon

1 making application to the board. Any such judge who retires prior to
2 attaining the age of 62 pursuant to this subsection shall receive a
3 retirement annuity pursuant to K.S.A. 20-2610, and amendments thereto,
4 based upon the normal retirement age of 62 reduced by an amount equal to
5 the total of: (1) (A) The product of such annual retirement annuity payable
6 had the judge retired on the normal retirement date, multiplied by (B) the
7 product of 0.6% multiplied by the number of months' difference, to the
8 nearest whole month, between the member's attained age at the time of
9 retirement and age 60; and

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

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

16 Sec. 2. K.S.A. 2014 Supp. 20-2608 is hereby repealed.

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