

HOUSE BILL No. 2253

By Committee on Pensions and Benefits

2-5

1 AN ACT concerning retirement and pensions; relating to the Kansas
2 public employees retirement system; employment after retirement for
3 certain retirants employed as teachers; extending special provisions;
4 amending K.S.A. 2014 Supp. 74-4937 and repealing the existing
5 section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2014 Supp. 74-4937 is hereby amended to read as
9 follows: 74-4937. (1) The normal retirement date of a member of the
10 system who is in school employment and who is subject to K.S.A. 74-
11 4940, and amendments thereto, shall be the first day of the month
12 coinciding with or following termination of employment not followed by
13 employment with any participating employer within 60 days and the
14 attainment of age 65 or, commencing July 1, 1986, age 65 or age 60 with
15 the completion of 35 years of credited service or at any age with the
16 completion of 40 years of credited service, or commencing July 1, 1993,
17 any alternative normal retirement date already prescribed by law or age 62
18 with the completion of 10 years of credited service or the first day of the
19 month coinciding with or following the date that the total of the number of
20 years of credited service and the number of years of attained age of the
21 member is equal to or more than 85. Each member upon giving prior
22 notice to the appointing authority and the retirement system may retire on
23 the normal retirement date or the first day of any month thereafter.

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

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

1 under the provisions of ~~subsection (1)~~ of K.S.A. 74-4914(1), and
2 amendments thereto, related to normal retirement, or, if they retired under
3 the provisions of ~~subsection (4)~~ of K.S.A. 74-4914(4), and amendments
4 thereto, related to early retirement, were retired more than 60 days prior to
5 the effective date of this act, and are subsequently hired in a position that
6 requires a license under K.S.A. 72-1388, and amendments thereto, or other
7 provision of law. The provisions of this subsection do not apply to retirants
8 who retired under ~~subsection (4)~~ of K.S.A. 74-4914(4), and amendments
9 thereto, which relates to early retirement prior to age 62. Except as
10 otherwise provided, when a retirant is employed by the same school
11 district or a different school district with which such retirant was employed
12 during the final two years of such retirant's participation or employed by a
13 third-party entity who contracts services with a school district to fill a
14 position as described in this subsection, the participating employer of such
15 retirant shall pay to the system the actuarially determined employer
16 contribution based on the retirant's compensation during any such period
17 of employment plus 8%. The provisions of this subsection shall not apply
18 to retirants employed as substitute teachers. The provisions of ~~subsection~~
19 ~~(5)~~ of K.S.A. 74-4914(5), and amendments thereto, shall be applicable to
20 retirants employed as described in this subsection, except as specifically
21 provided in this subsection. Nothing in this subsection shall be construed
22 to create any right, or to authorize the creation of any right, which is not
23 subject to amendment or nullification by act of the legislature. The
24 provisions of this subsection shall expire on July 1, ~~2015~~ 2018. After ~~such~~
25 ~~date July 1, 2015, and July 1, 2018~~, the Kansas public employees
26 retirement system and its actuary shall report the experience to the joint
27 committee on pensions, investments and benefits.

28 Sec. 2. K.S.A. 2014 Supp. 74-4937 is hereby repealed.

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