

HOUSE BILL No. 2623

By Representative Jones

2-5

1 AN ACT concerning retirement and pensions; relating to the Kansas public
2 employees retirement system; excluding certain noncovered
3 employees; amending K.S.A. 2017 Supp. 74-4932 and repealing the
4 existing section.

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

7 Section 1. K.S.A. 2017 Supp. 74-4932 is hereby amended to read as
8 follows: 74-4932. As used in this act, unless the context otherwise
9 requires:

10 (1) "Accumulated contributions" means the sum of all contributions
11 by a member to the system which shall be credited to such member's
12 account, with interest allowed thereon, plus such member's contributions
13 transferred from the school employees savings fund of the state school
14 retirement system;

15 (2) "compensation" means the same as defined in ~~subsection (9) of~~
16 K.S.A. 74-4902(9), and amendments thereto;

17 (3) "school year" means the twelve-month period beginning
18 September 1 and ending August 31;

19 (4) "employee" means any employee of a participating employer
20 which is an eligible employer, as specified in K.S.A. 74-4931, and
21 amendments thereto, whose employment is not seasonal or temporary and
22 whose employment requires at least 630 hours of work per year or 3.5
23 hours of work per day for at least 180 days or any employee who is
24 concurrently employed by two or more eligible employers, as specified in
25 K.S.A. 74-4931, and amendments thereto, whose combined employment is
26 not seasonal or temporary and whose combined employment requires at
27 least 630 hours of work per year or 3.5 hours of work per day for at least
28 180 days. Employee shall not include:

29 (a) Any employee who is covered by or eligible for or who will
30 become eligible for retirement benefits under any retirement plan or
31 system provided by K.S.A. 74-4925, and amendments thereto;

32 (b) any employee who is a contributing member of the United States
33 civil service retirement system;

34 (c) any employee or class of employees specifically exempt by law,
35 except those persons who were formerly employees of one or more of the
36 participating employers which are eligible employers as specified in

1 K.S.A. 74-4931, and amendments thereto, who are covered by and have
2 contributions on deposit with the state school retirement system and who
3 have not retired under that system on the day next preceding entry date;

4 (d) any employee who on entry date is covered by or eligible for or
5 will become eligible for retirement benefits under a separate retirement
6 system authorized or established under K.S.A. ~~72-1758 to~~ *through* 72-
7 1769, ~~inclusive~~, and amendments thereto, or K.S.A. 72-6780, and
8 amendments thereto, except that this paragraph (d) shall not include any
9 employee, who before September 1, 1974, elects to become a member of
10 the Kansas public employees retirement system as provided in K.S.A. 74-
11 4935a, and amendments thereto; ~~or~~

12 (e) on and after July 1, 1975, no person who is otherwise eligible for
13 membership in the Kansas public employees retirement system shall be
14 barred from such membership by reason of coverage by, eligibility for or
15 future eligibility for a retirement annuity under the provisions of K.S.A.
16 74-4925, and amendments thereto. However, no person shall receive
17 service credit under the Kansas public employees retirement system for
18 any period of service for which benefits accrue or are granted under a
19 retirement annuity plan under the provisions of K.S.A. 74-4925, and
20 amendments thereto; *or*

21 (f) *any employee who takes a leave of absence, except in the case of*
22 *military service, and is not currently working for an eligible employer in a*
23 *covered position with the Kansas public employees retirement system that*
24 *meets the requirements of subsection (4).*

25 (5) "executive director" means the managing officer of the system as
26 defined in ~~subsection (16) of~~ K.S.A. 74-4902(16), and amendments
27 thereto;

28 (6) "military service" means the same as defined in ~~subsection (22) of~~
29 K.S.A. 74-4902(22), and amendments thereto, and includes such service
30 when followed by return to employment with the same or another
31 participating employer on or before the beginning of the next school year
32 following discharge or separation from such military service;

33 (7) "normal retirement date" means the same as defined in ~~subsection~~
34 ~~(23) of~~ K.S.A. 74-4902(23), and amendments thereto, as modified by
35 ~~subsection (1) of~~ K.S.A. 74-4937(1), and amendments thereto;

36 (8) "school employment" means the employment of a member when
37 employed by an eligible employer as specified in ~~any of subsection (1), (2)~~
38 ~~or (3) of~~ K.S.A. 74-4931(1), (2) *or* (3), and amendments thereto; and

39 (9) "USERRA" means the same as defined in ~~subsection (34) of~~
40 K.S.A. 74-4902(35), and amendments thereto.

41 Sec. 2. K.S.A. 2017 Supp. 74-4932 is hereby repealed.

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