

HOUSE BILL No. 2111

By Committee on Insurance and Pensions

1-21

1 AN ACT concerning retirement and pensions; relating to the Kansas public
2 employees retirement system and systems thereunder; affiliation and
3 membership of certain security officers of the department of corrections
4 in the Kansas police and firemen's retirement system; providing for
5 employee and employer contributions.
6

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

8 Section 1. (a) As used in this section, "security officer" means the
9 same as defined by K.S.A. 74-4914a(1)(a) and (b), and amendments
10 thereto.

11 (b) On and after July 1, 2021, the department of corrections shall be
12 an eligible employer as defined in K.S.A. 74-4952, and amendments
13 thereto, and shall affiliate on July 1, 2021, with the Kansas police and
14 firemen's retirement system established under K.S.A. 74-4951 et seq., and
15 amendments thereto, pursuant to the provisions of this section for
16 membership in the system for security officers who are employed by the
17 department of corrections. The department of corrections shall make
18 application for affiliation with such system in the manner provided by
19 K.S.A. 74-4954, and amendments thereto, to be effective on July 1 next
20 following application. The department of corrections shall affiliate for
21 membership in the system of such employees for participating service
22 credit.

23 (c) The division of the budget and the governor shall include in the
24 budget and in the budget request for appropriations for personnel services
25 the amount required to satisfy the employer's obligation under this section
26 as certified by the board of trustees of the system and shall present the
27 same to the legislature for allowance and appropriation. Upon affiliation,
28 the department of corrections shall pay to the system a sum sufficient to
29 satisfy such obligations as certified by the board.

30 (d) The determination of retirement, death or disability benefits shall
31 be computed upon the basis of credited service, as used in K.S.A. 74-4951
32 et seq., and amendments thereto, and shall be for all participating service
33 with the department of corrections as a security officer.

34 (e) Any security officer who becomes a member pursuant to this
35 section, who has a vested retirement benefit pursuant to K.S.A. 74-4917,
36 and amendments thereto, and who terminates employment prior to

1 attaining a vested benefit pursuant to K.S.A. 74-4963, and amendments
2 thereto, may have such service credited for purposes of computing
3 retirement benefits pursuant to K.S.A. 74-4901 et seq., and amendments
4 thereto.

5 (f) (1) Each security officer employed by the department of
6 corrections on the date of affiliation of the department of corrections may
7 become a member of the Kansas police and firemen's retirement system on
8 the first day of the payroll period of such security officer coinciding with
9 or following the entry date of the department of corrections, only by filing
10 with the board of trustees of the system, on or before the entry date of the
11 department of corrections, a written election to become a member of the
12 system. Failure to file such written election shall be presumed to be an
13 election not to become a member of the system. Such election, whether to
14 become a member or not to become a member, shall be irrevocable.

15 (2) Each security officer who is on an authorized leave of absence or
16 is in the military service on the entry date of the department of corrections
17 may become a member of the Kansas police and firemen's retirement
18 system on the first day of the first payroll period of such security officer
19 coinciding with such security officer's return to active employment and the
20 department of corrections' payroll, only by filing with the board of trustees
21 of the system, within 10 days after such return to active employment, a
22 written election to become a member of the system. Failure to file such
23 written election shall be presumed to be an election not to become a
24 member of the system. Such election, whether to become a member or not
25 to become a member, shall be irrevocable.

26 (3) Every person who is first employed as a security officer on or
27 after the entry date of the department of corrections into the Kansas police
28 and firemen's retirement system shall become a member of the Kansas
29 police and firemen's retirement system.

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

34 (h) Beginning with the first payment of compensation for services of
35 a security officer after becoming a member of the Kansas police and
36 firemen's retirement system, the employer shall deduct from the
37 compensation of such member 7.15% as the employee contribution to the
38 system. Such deductions shall be remitted, deposited and credited as
39 provided in K.S.A. 74-4965, and amendments thereto.

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