

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT:

The Committee on **Financial Institutions and Insurance** recommends **SB 138** be amended on page 3, in line 3, after "days" by inserting ", or 180 days as provided in subsection (10),"; in line 16, after "days" by inserting ", or 180 days as provided in subsection (10),"; in line 36, after "days" by inserting ", or 180 days as provided in subsection (10),"; in line 42, after "days" by inserting ", or 180 days as provided in subsection (10),";

On page 4, in line 2, by striking "subsection (7)" and inserting "subsections (7) and (10)";

On page 5, in line 7, by striking "substitute teachers or"; in line 28, after "thereto" by inserting ", to the extent that any such amount paid is included in federal adjusted gross income and subject to federal income taxation";

On page 6, in line 11, after the first comma by inserting "subsection (10)";

On page 7, in line 5, by striking "substitute teachers or"; in line 30, by striking all after "(d)"; by striking all in lines 31 through 43;

On page 8, by striking all in lines 1 through 31; in line 32, by striking "(f)"; by striking all in lines 40 through 43;

On page 9, by striking all in lines 1 through 6; in line 10, after the comma by inserting "or the 180-day waiting period under subsection (10),"; following line 27, by inserting:

"(10) (a) Notwithstanding the provisions of subsection (5) or (7) to the contrary, for any retirant whose retirement date is on or after January 1, 2018, who is retired more than 60 days, if such retirant's age on the date of retirement is age 62 or older, or is retired more than 180 days, if such retirant's age on the date of retirement is less than age 62, and who is subsequently hired in

a covered position, as defined in K.S.A. 2016 Supp. 74-49,202, and amendments thereto, such retiree shall not be subject to an earnings limitation that when met or exceeded requires that the retiree not receive a retirement benefit for any month for which such retiree serves in such covered position. The participating employer of such retiree shall pay to the system a 30% employer contribution based on the retiree's compensation during any such period of employment, except that for retirees who are members of the legislature or other elected officials, the participating employer shall pay to the system the statutorily prescribed employer contribution rate.

(b) Notwithstanding the provisions of subsection (5) or (7) to the contrary, for any retiree whose retirement date is on or after January 1, 2018, who is retired more than 60 days, if such retiree's age on the date of retirement is age 62 or older, or is retired more than 180 days, if such retiree's age on the date of retirement is less than age 62, and who is subsequently hired in a non-covered position, such retiree shall not be subject to an earnings limitation that when met or exceeded requires that the retiree not receive a retirement benefit for any month for which such retiree serves in such non-covered position. No employer contribution shall be paid to the system on compensation paid to a retiree hired in a non-covered position.

(c) The participating employer shall enroll all retirees and report to the system when compensation is paid to a retiree as provided in this subsection. Such report shall contain a certification by the appointing authority of the participating employer that any hired retiree has not been employed by the participating employer within 60 days of such retiree's retirement in the case of a retiree whose age on the date of retirement is age 62 or older, or within 180 days of such retiree's retirement in the case of a retiree whose age on the date of retirement is less than age 62, and that there was no prearranged agreement for employment between the participating employer and the hired retiree. Upon request of the executive director of the system, the participating employer shall provide such information as may be needed by the executive director to carry out the provisions of this

subsection. No retirant shall make contributions to the system or receive credit for service while employed under the provisions of this subsection.

(d) Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right, that is not subject to amendment or nullification by act of the legislature.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 9, in line 33, after "days" by inserting ", or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto,";

On page 10, in line 4, after "days" by inserting ", or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto,"; in line 11, after "days" by inserting ", or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto,"; in line 16, after "days" by inserting ", or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto,";

On page 11, in line 7, by striking "The"; by striking all in line 8; in line 9, by striking all before "The"; and the bill be passed as amended.

Chairperson