

2015 General Session
Retirement and Independent Entities Interim Committee
Related Bills Passed

Prepared by the Office of Legislative Research and General Counsel — April 2015

H.B. 5 Retirement and Independent Entities Base Budget (*Rep. K. Powell and Sen. T. Weiler*)

This bill appropriates funds for the support and operation of state government for the fiscal year beginning July 1, 2015 and ending June 30, 2016.

This bill:

- ▶ provides appropriations for the use and support of certain state agencies;
- ▶ provides appropriations for other purposes as described;
- ▶ approves employment levels for internal service funds; and
- ▶ approves capital acquisition amounts for internal service funds.

This bill appropriates \$44,253,800 in operating and capital budgets for fiscal year 2016, including:

- ▶ \$3,494,400 from the General Fund;
- ▶ \$18,582,700 from the Education Fund;
- ▶ \$22,176,700 from various sources as detailed in this bill. This bill appropriates \$12,054,600 in business-like activities for fiscal year 2016.

H.B. 12 Utah Retirement System Amendments (*Rep. K. Powell and Sen. T. Weiler*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending certain retirement provisions.

This bill:

- ▶ clarifies that a member may receive service credit for military service covered under the provisions of the federal Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) instead of only member or participating employer purchases of service credit;
- ▶ allows a purchase of public service credit for employment with a participating employer in a qualifying position for which the individual filed a written request for exclusion from membership in a system;
- ▶ allows the Utah State Retirement Office to recover any overpayment to a retiree who receives a retirement allowance in violation of postretirement employment restrictions;
- ▶ provides that, upon request, an insurance premium may be deducted from a retirement allowance for certain retirees;
- ▶ requires a participating employer who reemploys a retiree to contribute the amortization rate to the system that would have covered the retiree regardless of whether the position is retirement eligible;
- ▶ amends the deadline from 60 days to 30 days for a participating employer to submit to the office required contributions and submit service credit reports for employees after the end of each pay period;
- ▶ amends penalty provisions for delinquent contributions from 12% per annum to equal to the greater of \$250 or 50% of the total contributions for the employees for the period of the reporting error;
- ▶ provides that a court for a domestic relations order may not require the Utah State Retirement Office to provide any type of benefit that is not otherwise provided by statute;
- ▶ repeals the requirement for a participating employer to forward to the office certain documentation relating to terminated employees and requires the employers to maintain the records and make them available to the office upon request;
- ▶ clarifies that the definition of "benefits normally provided" includes employer contributions to a health savings account, health reimbursement account, health reimbursement arrangement, or medical expense reimbursement plan; and
- ▶ makes technical changes.

H.B. 27 **Department of Corrections Retirement Amendments** (*Rep. E. Hutchings and Sen. J. Stevenson*)

This bill modifies the Public Safety Contributory Retirement Act and the Public Safety Noncontributory Retirement Act by amending system membership provisions for employees of the Department of Corrections.

This bill:

- ▶ provides that an employee of the Department of Corrections shall continue to earn public safety service credit in the Public Safety Retirement System if the employee's position is no longer covered for new employees and the employee:
 - remains employed by the Department of Corrections;
 - meets the eligibility requirements of the system;
 - was hired into a covered position prior to July 1, 2015; and
 - has not had a break in service on or after July 1, 2015; and
- ▶ makes technical changes.

H.B. 38 **Supplemental Savings Plan Amendments** (*Rep. R. Cunningham and Sen. C. Bramble*)

This bill modifies the Utah State Personnel Management Act by amending provisions related to state employee benefits.

This bill:

- ▶ defines terms;
- ▶ allows a state employee to make the matching deposit into a deemed IRA, 401(k) plan, or other similar savings plan in order to qualify for the employee matching deposit under the state employee matching supplemental benefit; and
- ▶ makes technical corrections.

H.B. 115 **Public Safety Retirement for Dispatchers** (*Rep. K. Powell and Sen. C. Bramble*)

This bill allows certified dispatchers to be covered in the public safety retirement systems.

This bill:

- ▶ provides definitions;
- ▶ requires the state to cover its certified dispatchers under the public safety retirement systems;
- ▶ authorizes other participating employers to elect to cover their certified dispatchers under the public safety retirement systems; and
- ▶ makes technical corrections.

H.B. 133 **Firefighter Retirement Amendments** (*Rep. D. Ipson and Sen. C. Bramble*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending retirement eligibility provisions for firefighters.

This bill:

- ▶ provides that a person employed as the state fire marshal or a deputy state fire marshal is eligible to earn service credit in the Firefighters' Retirement System or the New Public Safety and Firefighter Tier II Contributory Retirement System; and
- ▶ makes technical changes.

1st Sub. H.B. 151 **Affiliated Emergency Service Worker Postretirement Employment Amendments** (*Rep. D. Sagers and Sen. D. Hinkins*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions for postretirement reemployment.

This bill:

- ▶ provides that reemployment as an affiliated emergency service worker is not subject to postretirement reemployment provisions under certain circumstances;
- ▶ provides that a member is not required to cease employment as an affiliated emergency service worker of a participating employer to be eligible to retire; and
- ▶ makes technical changes.

3rd Sub. H.B. 288 Line-of-duty Death Benefits for Peace Officers and Firefighters (Rep. P. Ray and Sen. A. Jackson)

This bill modifies the Utah State Retirement and Insurance Benefit Act and the Public Safety Code by amending death benefits provisions.

This bill:

- ▶ defines terms;
- ▶ amends line-of-duty lump sum benefit amounts for public safety officers and firefighters;
- ▶ provides an exception to restrictions from changing Tier II benefits in certain circumstances;
- ▶ requires an employer to provide certain health coverage for the surviving spouse and children of a peace officer or firefighter who dies in the line of duty under certain circumstances;
- ▶ allows employers to enter cost-sharing agreements to participate in a trust fund;
- ▶ requires certain reporting;
- ▶ allows certain rulemaking;
- ▶ creates the Local Public Safety and Firefighter Surviving Spouse Trust Fund and board and establishes board duties;
- ▶ requires an employer to provide assistance for applying for a death benefit to a surviving spouse of a public safety officer or firefighter; and
- ▶ makes technical changes.

H.B. 347 Retirement Window Amendments (Rep. R. Cunningham and Sen. C. Bramble)

This bill modifies the Utah State Retirement and Insurance Benefit Act by adding a conversion window for certain employees.

This bill:

- ▶ adds a six-month window for employers of certain entities to elect to participate in the Public Employees' Noncontributory Retirement System and for eligible employees to elect to participate in that system.

H.J.R. 10 Joint Resolution Regarding Public Employee Health Plan (Rep. J. Dunnigan and Sen. R. Okerlund)

This joint resolution of the Legislature directs the Public Employees' Benefit and Insurance Program to adjust cost sharing and reserves for the 2015-2016 benefit year.

This joint resolution:

- ▶ instructs the Public Employees' Benefit and Insurance Program to adjust out-of-pocket costs; and
- ▶ instructs the Public Employees' Benefit and Insurance Program to transfer excess reserves.

S.B. 11 Utah Retirement Systems Revisions (Sen. T. Weiler and Rep. K. Powell)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions relating to the

Utah Retirement Systems.

This bill:

- ▶ clarifies that the maximum number of positions that a municipality, county, or political subdivision may exempt from participation with the Utah Retirement Systems applies to the total number of exempted positions for employees covered under both the Tier I and Tier II retirement systems;
- ▶ specifies additional positions covered under the Tier II retirement system that are eligible to file for an exemption from participation in the Utah Retirement Systems;
- ▶ amends the applicability of contribution vesting periods and the effect of system elections for individuals who elect to be exempt from participation in the Tier II Utah Retirement Systems;
- ▶ provides that a full-time elected official or legislator initially entering office on or after July 1, 2011, who has service credit accrued in a Tier I retirement system or a Tier II hybrid retirement system before July 1, 2011, shall continue in the Tier I or Tier II system for which the full-time elected official or legislator is eligible;
- ▶ provides that if an active member dies, employer nonelective contributions made on behalf of the employee to a defined contribution plan are exempt from the vesting requirements and vest to the member upon death; and
- ▶ makes technical corrections.

S.B. 41 **Utah Science Center Authority Amendments** (*Sen. T. Weiler and Rep. K. Powell*)

This bill modifies the Independent State Entities title and related provisions by repealing the Utah Science Center Authority.

This bill:

- ▶ repeals the Utah Science Center Authority, an independent state agency; and
- ▶ makes technical changes.

S.B. 112 **Public Reporting Requirements** (*Sen. W. Harper and Rep. K. Ivory*)

This bill modifies the Utah Public Finance Website requirements for reporting public financial information.

This bill:

- ▶ clarifies that public financial information of component units of state entities, local entities, and independent entities is required to be included on the Utah Public Finance Website; and
- ▶ makes technical changes.

S.B. 135 **Workers' Compensation Coverage for Firefighters** (*Sen. K. Mayne and Rep. P. Ray*)

This bill modifies the Utah Occupational Disease Act to address coverage for firefighters.

This bill:

- ▶ defines terms;
- ▶ creates a rebuttable presumption of coverage for certain presumptive cancers under certain circumstances;
- ▶ addresses when there are multiple employers; and
- ▶ clarifies when a claim arises.

S.B. 236 **Justice Court Judges Retirement Amendments** (*Sen. T. Weiler and Rep. M. McKell*)

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending provisions for certain officers who are elected or appointed.

This bill:

- ▶ establishes the full-time or part-time service status of a justice court judge for retirement purposes, based on employer certification and combined workload for multiple employers;
- ▶ clarifies the retirement allowance computation for justice court judges; and
- ▶ makes technical changes.

1st Sub. S.B. 239 Retirement Withdrawal Modifications (Sen. T. Weiler and Rep. K. Powell)

This bill modifies the Utah State Retirement and Insurance Benefit Act by providing for the withdrawal of employees of a withdrawing entity.

This bill:

- ▶ allows certain withdrawing entities to make an election to withdraw from participation in a Utah retirement system or plan for current and future employees in certain circumstances;
- ▶ requires the withdrawing entity to pay certain costs that arise out of the election of the withdrawal;
- ▶ excludes all employees of a withdrawing entity from participation in the Public Employees' Contributory Retirement System, the Public Employees' Noncontributory Retirement System, and the New Public Employees' Tier II Contributory Retirement Act under certain circumstances; and
- ▶ makes technical changes.

S.B. 247 State Employees' Annual Leave Trust Fund Amendments (Sen. D. Henderson and Rep. S. Eliason)

This bill modifies the Utah State Personnel Management Act and the State Employees' Annual Leave Program II Trust Fund Act by amending state employee leave provisions.

This bill:

- ▶ amends the name of the "State Employees' Annual Leave Program II Trust Fund" to the "State Employees' Annual Leave Trust Fund";
- ▶ allows certain transfers to the State Employees' Annual Leave Trust Fund from the termination pool for annual leave liabilities and allows costs for both annual leave and annual leave II to be paid from the fund;
- ▶ prohibits a creditor from obtaining assets of the trust fund; and
- ▶ makes technical changes.

S.B. 274 Military Installation Development Authority Amendments (Sen. J. Stevenson and Rep. B. Dee)

This bill modifies the Military Installation Development Authority Act.

This bill:

- ▶ amends definitions;
- ▶ amends certain condominium ownership provisions within a project area;
- ▶ amends certain public notice requirements for a budget hearing of the military installation development authority; and
- ▶ makes technical changes.

S.J.R. 11 Joint Rules Resolution – Purchase of Working Meals (Sen. L. Hillyard and Rep. M. Brown)

This joint rules resolution of the Legislature addresses a legislative staff office providing a working meal for a legislator.

This resolution:

- ▶ allows a legislative staff office to purchase a meal for a legislator in certain circumstances and allows for that legislative staff office to receive reimbursement for the purchase.