

**Effective 5/12/2015**

**49-13-205 Conversion to system -- Time schedule -- Conversion windows.**

- (1) An employee governed under Section 49-13-201 shall make the election to participate in this system within six months of July 1, 1986.
- (2)
  - (a)
    - (i) An employer governed under Sections 49-13-201 and 49-13-202 shall make the election to participate in this system within six months of July 1, 1986.
    - (ii) The employer shall indicate whether or not it elects to participate by enacting a resolution or ordinance to that effect.
    - (iii) Prior to the enactment of the resolution or ordinance, a hearing shall be held by the employer, at which all employees of the political subdivision shall be given an opportunity to be heard on the question of participating in this system.
    - (iv) Notice of the hearing shall be mailed to all employees within 30 days of the hearing and shall contain the time, place, and purpose of the hearing.
  - (b) A regular full-time employee has six months from the date the employer elects to participate in this system in which to make the election to participate in this system and become eligible for service credit in this system.
- (3) Subsections (1) and (2) shall be used to provide a second time period of conversion to this system beginning July 1, 1990.
- (4) Subsections (1) and (2) shall be used to provide a third time period of conversion to this system beginning July 1, 1995.
- (5) Subsection (2) shall be used to provide a fourth time period of conversion to this system beginning July 1, 2009 for an entity created under the authority of Title 11, Chapter 13, Interlocal Cooperation Act, and the entity's employees.
- (6) Subsection (2) shall be used to provide a fifth time period of conversion to this system beginning July 1, 2015.
- (7) A member of the Contributory Retirement System who is employed by one agency and who either transfers to or is reemployed by another agency shall be enrolled in the Noncontributory Retirement System as of the date of employment, if the participating employer has elected to participate in the Noncontributory Retirement System.

Amended by Chapter 176, 2015 General Session