

1 **PUBLIC SAFETY NONCONTRIBUTORY**
2 **RETIREMENT AMENDMENTS**

3 2000 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Scott N. Howell**

6 AN ACT RELATING TO RETIREMENT; AMENDING PUBLIC SAFETY RETIREMENT
7 EXCLUSION PROVISIONS FOR CHIEFS OF POLICE; AND PROVIDING AN EFFECTIVE
8 DATE.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **49-4a-206**, as last amended by Chapter 305, Laws of Utah 1999

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **49-4a-206** is amended to read:

14 **49-4a-206. Exclusion of certain employees from coverage -- Exception.**

15 (1) (a) A public employee serving as the commissioner of public safety, or as the elected
16 or appointed sheriff or chief of police of a public safety organization, is excluded from coverage
17 under this system if that public employee files a formal written request seeking exclusion from
18 coverage.

19 (b) Except as provided in Subsection (1)(c), the public employee may not continue
20 employment in the same covered employer unit and receive payment from the retirement office
21 at the same time.

22 (c) An elected sheriff or an appointed chief of police who is eligible to retire under Section
23 49-4a-401 may:

24 (i) retire from the system and receive a retirement payment;

25 (ii) continue in the elected or appointed office; and

26 (iii) file for the exclusion under Subsection (1)(a).

27 (2) Any member of the system or any newly hired employee who is eligible for coverage

28 and who is drawing a military pension may, by application to the retirement administrator, be
29 exempted from participating in the system.

30 Section 2. **Effective date.**

31 This act takes effect on July 1, 2000.

Legislative Review Note
as of 2-15-00 12:05 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel