

1 **REEMPLOYMENT RESTRICTIONS AMENDMENTS**

2 2014 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Todd Weiler**

5 House Sponsor: _____

7 **LONG TITLE**

8 **Committee Note:**

9 The Retirement and Independent Entities Interim Committee recommended this bill.

10 **General Description:**

11 This bill modifies the Utah State Retirement and Insurance Benefit Act by amending
12 postretirement employment restrictions.

13 **Highlighted Provisions:**

14 This bill:

15 ▶ exempts an active senior justice court judge appointed to hear cases by the Utah
16 Supreme Court ~~§~~ **→ and a part-time appointed board member ←** ~~§~~ from postretirement
16a employment restrictions;

17 ▶ exempts a reemployed retiree who serves as a judge from reemployment earnings
18 limitations; and

19 ▶ makes technical changes.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **49-11-505**, as last amended by Laws of Utah 2013, Chapter 48



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

29 Section 1. Section **49-11-505** is amended to read:

30 **49-11-505. Reemployment of a retiree -- Restrictions.**

31 (1) (a) For purposes of this section, "retiree":

32 (i) means a person who:

33 (A) retired from a participating employer; and

34 (B) begins reemployment on or after July 1, 2010, with a participating employer;

35 (ii) does not include a person:

36 (A) who was reemployed by a participating employer before July 1, 2010; and

37 (B) whose participating employer that reemployed the person under Subsection

38 (1)(a)(ii)(A) was dissolved, consolidated, merged, or structurally changed in accordance with

39 Section **49-11-621** after July 1, 2010; and

40 (iii) does not include a person who is reemployed as an active senior judge or an active

41 senior justice court judge as described by Utah State Court Rules, appointed to hear cases by

42 the Utah Supreme Court in accordance with Article VIII, Section 4, Utah Constitution.

43 (b) (i) This section does not apply to employment as an elected official if the elected
44 official's position is not full time as certified by the participating employer.

45 (ii) The provisions of this section apply to an elected official whose elected position is
46 full time as certified by the participating employer.

46a **§→ (c)(i) This section does not apply to employment as a part-time appointed board member**
46b **who does not receive any remuneration, stipend, or other benefit for the part-time appointed**
46c **board member's service.**

46d **(ii) For purposes of this Subsection (1)(c), remuneration, stipend, or other benefit does not**
46e **include receipt of per diem and travel expenses up to the amounts established by the Division**
46f **of Finance in:**

46g **(A) Section 63A-3-106;**

46h **(B) Section 63A-3-107; and**

46i **(C) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-**
46j **107. ←§**

47 (2) A retiree may not for the same period of reemployment:

48 (a) (i) earn additional service credit; or

49 (ii) receive any retirement related contribution from a participating employer; and

50 (b) receive a retirement allowance.

51 (3) (a) Except as provided under Subsection (3)(b), the office shall cancel the