

RETIREMENT WINDOW AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rich Cunningham

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

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

Highlighted Provisions:

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.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

49-13-205, as last amended by Laws of Utah 2009, Chapter 221

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

Section 1. Section **49-13-205** is amended to read:

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

(1) An employee governed under Section **49-13-201** shall make the election to



28 participate in this system within six months of July 1, 1986.

29 (2) (a) (i) An employer governed under Sections 49-13-201 and 49-13-202 shall make
30 the election to participate in this system within six months of July 1, 1986.

31 (ii) The employer shall indicate whether or not it elects to participate by enacting a
32 resolution or ordinance to that effect.

33 (iii) Prior to the enactment of the resolution or ordinance, a hearing shall be held by the
34 employer, at which all employees of the political subdivision shall be given an opportunity to
35 be heard on the question of participating in this system.

36 (iv) Notice of the hearing shall be mailed to all employees within 30 days of the
37 hearing and shall contain the time, place, and purpose of the hearing.

38 (b) A regular full-time employee has six months from the date the employer elects to
39 participate in this system in which to make the election to participate in this system and
40 become eligible for service credit in this system.

41 (3) Subsections (1) and (2) shall be used to provide a second time period of conversion
42 to this system beginning July 1, 1990.

43 (4) Subsections (1) and (2) shall be used to provide a third time period of conversion to
44 this system beginning July 1, 1995.

45 (5) Subsection (2) shall be used to provide a fourth time period of conversion to this
46 system beginning July 1, 2009 for an entity created under the authority of Title 11, Chapter 13,
47 Interlocal Cooperation Act, and the entity's employees.

48 (6) Subsection (2) shall be used to provide a fifth time period of conversion to this
49 system beginning July 1, 2015.

50 ~~[(6)]~~ (7) A member of the Contributory Retirement System who is employed by one
51 agency and who either transfers to or is reemployed by another agency shall be enrolled in the
52 Noncontributory Retirement System as of the date of employment, if the participating employer
53 has elected to participate in the Noncontributory Retirement System.