

49-15-203 Exemption of certain employees from coverage.

- (1) A public safety service employee is excluded from coverage under this system if the employee:
 - (a) is serving:
 - (i) as the Commissioner of Public Safety;
 - (ii) as the executive director of the Department of Corrections; or
 - (iii) as the elected or appointed sheriff or chief of police of a public safety organization; and
 - (b) files a formal written request seeking the exemption.
- (2) Except as provided in Subsection (3), the public safety service employee may not continue employment with the same participating employer and receive an allowance from the office based on public safety service at the same time.
- (3)
 - (a) The Commissioner of Public Safety, an elected sheriff, or an appointed chief of police who is eligible to retire under Section 49-15-401 may until July 1, 2010:
 - (i) retire from this system and receive an allowance;
 - (ii) continue in the elected or appointed position; and
 - (iii) file for the exemption under Subsection (1).
 - (b) A person who makes an election under Subsection (3)(a) may continue under the terms of the election.

Amended by Chapter 298, 2012 General Session