



1 employee, upon cessation of the employer contributions, shall immediately become a contributing  
2 member.

3 (4) Every employee serving as an exchange employee from outside the state.

4 (5) Elected officials who file a formal request for exemption.

5 (6) Executive department heads of the state, senior executives employed by the governor's  
6 office, members of the State Tax Commission, the Public Service Commission, and other members  
7 of full-time or part-time boards or commissions who file a formal request to be excluded from  
8 coverage.

9 (7) (a) Employees of the Department of Employment Security who are covered under  
10 another retirement system allowed under Title [35] 35A, Chapter 4, Employment Security Act; or

11 (b) employees of the Department of Workforce Services who were covered under  
12 Subsection (7)(a) and who are covered under another retirement system allowed under Title 35A,  
13 Chapter 4, Employment Security Act.

14 (8) Persons appointed as city managers or chief city administrators or other persons  
15 employed by a city, town, county, or other political subdivision, who are not entitled to merit or  
16 civil service protection. Persons eligible for exclusion under this subsection shall file a formal  
17 request for exclusion from coverage and be employed in a position designated as exempt under  
18 an employee exemption plan developed by the city, town, county, or political subdivision.

19 Employee exemption plans shall be subject to the following limitations:

20 (a) The total number of positions a city, town, county, or political subdivision may exempt  
21 may not exceed the lesser of 30 positions or a number equal to 10% of the employees of the city,  
22 town, county, or political subdivision. However, every city, town, county, or political subdivision  
23 is entitled to a minimum exemption of one eligible employee.

24 (b) Employee exemption plans shall be filed annually with the retirement office, and the  
25 city, town, county, or political subdivision shall update the exemption plan in the event of any  
26 change.

27 (c) The retirement office may promulgate rules to implement this section.

**Legislative Review Note**  
**as of 1-28-98 3:51 PM**

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

**Office of Legislative Research and General Counsel**