

1 ANNUAL LEAVE ACCRUAL FOR STATE

2 EMPLOYEES

3 2000 GENERAL SESSION

4 STATE OF UTAH

5 Sponsor: James R. Gowans

6 AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; MODIFYING CERTAIN
7 PROVISIONS REGULATING CONVERSION OF ANNUAL LEAVE TO A DEFERRED
8 COMPENSATION PLAN; AND MAKING TECHNICAL CORRECTIONS.

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

10 AMENDS:

11 67-19-12.7, as enacted by Chapter 125, Laws of Utah 1999

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

13 Section 1. Section 67-19-12.7 is amended to read:

14 67-19-12.7. Accumulated annual leave -- Conversion to deferred compensation plan.

15 (1) The department shall implement a program [~~whereby~~] that allows an employee [may],
16 [~~upon termination of employment or retirement,~~] in each calendar year, to elect to convert [any
17 ~~unused] up to \hat{h} [40] 20 \hat{h} hours \$ OR \$250 VALUE \$ of annual leave \$, WHICHEVER IS LESS, §
17a into any of the employee's designated deferred~~

18 compensation accounts that:

19 (a) are sponsored by the Utah State Retirement Board; and

20 (b) are qualified under Section 401(k) or Section 457 of the Internal Revenue Code.

21 (2) Any annual leave converted under Subsection (1) shall be converted into the
22 employee's deferred compensation account at the employee's pay rate at the time of [~~termination~~
23 ~~or retirement~~] conversion.

24 (3) [~~No~~] An employee may not convert hours of accrued annual leave to the extent that any
25 hours [~~so~~] converted would;

26 (a) exceed the maximum amount authorized by the Internal Revenue Code for each
27 calendar year[~~;~~]; or

- 28 (b) cause the employee's balance of accumulated annual leave to drop below ^h ~~144~~ 320 ^h
 - 28a hours.
 - 28b ^h (4) THE EMPLOYEE'S EMPLOYING AGENCY SHALL PAY FOR THE COSTS OF ANY
 - ANNUAL
 - 28c LEAVE CONVERTED UNDER SUBSECTION (1). ^h
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Legislative Review Note
as of 1-12-00 4:28 PM

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

Office of Legislative Research and General Counsel