

1 **STATE RETIREMENT CONVERSION WINDOW**

2 2003 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Brad King**

5 **This act modifies the Utah State Retirement and Insurance Benefit Act by providing a**
6 **time period to apply for future conversion windows between the Public Employees'**
7 **Contributory Retirement System and the Public Employees' Noncontributory Retirement**
8 **System. This act takes effect on July 1, 2003.**

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

10 AMENDS:

11 **49-13-205**, as renumbered and amended by Chapter 250, Laws of Utah 2002

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

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

14 **49-13-205. Conversion to system -- Time schedule -- Conversion windows.**

15 (1) An employee governed under Section 49-13-201 shall make the election to
16 participate in this system within six months of July 1, 1986.

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

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

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

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

26 (b) A regular full-time employee has six months from the date the employer elects to
27 participate in this system in which to make the election to participate in this system and



28 become eligible for service credit in this system.

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

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

33 (5) (a) Subsections (1) and (2) shall be used to provide a six-month time period,
34 beginning July 1, 2003, to submit applications for conversion to this system if the Legislature
35 approves another time period of conversion to this system.

36 (b) An application filed in accordance with Subsection (5)(a) shall remain on file with
37 the office until the application is revoked by the applicant.

38 (c) The Legislature may limit the next time period of conversion to this system to
39 applicants who have filed in accordance with Subsection (5)(a).

40 Section 2. **Effective date.**

41 This act takes effect on July 1, 2003.

Legislative Review Note

as of 12-5-02 12:39 PM

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

Office of Legislative Research and General Counsel

State Impact

Administrative costs associated with this bill for postage and processing applications are estimated at approximately \$10,000. This expense will be absorbed by the Retirement's Office with no increase in the retirement contribution rate.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst