

1                                   **UTAH RETIREMENT SYSTEM AMENDMENTS**

2   2015 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Kraig Powell**

5                                   Senate Sponsor: Todd Weiler

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7   **LONG TITLE**

8   **Committee Note:**

9           The Retirement and Independent Entities Interim Committee recommended this bill.

10 **General Description:**

11           This bill modifies the Utah State Retirement and Insurance Benefit Act by amending  
12 certain retirement provisions.

13 **Highlighted Provisions:**

14           This bill:

15           ▶ clarifies that a member may receive service credit for military service covered under  
16 the provisions of the federal Uniformed Services Employment and Reemployment  
17 Rights Act of 1994 (USERRA) instead of only member or participating employer  
18 purchases of service credit;

19           ▶ allows a purchase of public service credit for employment with a participating  
20 employer in a qualifying position for which the individual filed a written request for  
21 exclusion from membership in a system;

22           ▶ allows the Utah State Retirement Office to recover any overpayment to a retiree  
23 who receives a retirement allowance in violation of postretirement employment  
24 restrictions;

24a **§→ ▶ provides that, upon request, an insurance premium may be deducted from a retirement**  
24b **allowance for certain retirees; ←§**

25           ▶ requires a participating employer who reemploys a retiree to contribute the  
26 amortization rate to the system that would have covered the retiree regardless of  
27 whether the position is retirement eligible;



431 or equitable process.

432 (3) ~~§~~ (a) ~~§~~ The office may, upon the request of the retiree, deduct from the retiree's  
432a allowance ~~§~~ , ~~§~~

433 insurance premiums or other dues payable on behalf of the retiree, but only to those entities  
434 that have received the deductions prior to February 1, 2002.

434a ~~§~~ (b) The office may, upon the request of a retiree of a public safety or firefighter  
434b system, deduct insurance premiums from the retiree's allowance. ~~§~~

435 (4) (a) The office shall provide for the division of domestic relations order benefits  
436 with former spouses and family members under an order of a court of competent jurisdiction  
437 with respect to domestic relations matters on file with the office.

438 (b) The court order shall specify the manner in which the domestic relations order  
439 benefits shall be partitioned, whether as a fixed amount or as a percentage of the benefit.

440 (c) Domestic relations order benefits split under a domestic relations order are subject  
441 to the following:

442 (i) the amount to be paid or the period for which payments shall be made under the  
443 original domestic relations order may not be altered if the alteration affects the actuarial  
444 calculation of the allowance;

445 (ii) payments to an alternate payee shall begin at the time the member or beneficiary  
446 begins receiving payments; and

447 (iii) the alternate payee shall receive payments in the same form as allowances received  
448 by the member or beneficiary.

449 (d) To be valid, a court order under this section must be received by the office within  
450 12 months of the death of the member.

451 (e) A court order under this section may not require and may not be interpreted in any  
452 way to require the office to provide any type of benefit or any option not otherwise provided  
453 under this title.

454 (5) In accordance with federal law, the board may deduct the required amount from any  
455 benefit, payment, or other right accrued or accruing to any member or beneficiary of a system,  
456 plan, or program under this title to offset any amount that member or beneficiary owes to a  
457 system, plan, or program administered by the board.

458 (6) The board shall make rules to implement this section.

459 Section 7. Section 49-11-616 is amended to read:

460 **49-11-616. Benefits information.**

461 (1) The office shall provide written general information to each participating employer