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	JUSTICE COURT JUDGES RETIREMENT AMENDMENTS		
	2015 GENERAL SESSION		
	STATE OF UTAH		
	Chief Sponsor: Todd Weiler		
	House Sponsor: Mike K. McKell		
	LONG TITLE		
	General Description:		
This bill modifies the Utah State Retirement and Insurance Benefit Act by amending			
provisions for certain officers who are elected or appointed.			
	Highlighted Provisions:		
	This bill:		
	• establishes the full-time or part-time service status of a justice court judge for		
	retirement purposes, based on employer certification and combined workload for		
	multiple employers;		
	 clarifies the retirement allowance computation for justice court judges; and 		
	 makes technical changes. 		
Money Appropriated in this Bill:			
None			
Other Special Clauses:			
	$\hat{S} \rightarrow [None]$ This bill provides a special effective date. $\leftarrow \hat{S}$		
	Utah Code Sections Affected:		
	AMENDS:		
	49-12-406, as renumbered and amended by Laws of Utah 2002, Chapter 250		
	49-13-406, as renumbered and amended by Laws of Utah 2002, Chapter 250		



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28	Section 1. Section 49-12-406 is amended to read:	
29	49-12-406. Exceptions for part-time elective or appointive service Computation	
30	of allowance Justice court judges.	
31	(1) Notwithstanding [any other provision of this title,] the provisions of Sections	
32	49-11-401 and 49-12-102, and unless otherwise provided in this section, a member's elective or	
33	appointive service rendered on a basis not considered full-time by the office[, unless otherwise	
34	provided by this chapter,] shall have a separate allowance computed on the basis of	
35	compensation actually received by the member during the period of elective or appointive	
36	service.	
37	(2) (a) A justice court judge who has service with only one participating employer shall	
38	be considered part-time or full-time by the office as certified by the participating employer.	
39	(b) If a justice court judge has a combination of part-time service and full-time position	
40	service with one participating employer, the office shall compute separate allowances on the	
41	basis of compensation actually received by the judge during the part-time and full-time periods	
42	of service.	
43	(3) (a) A justice court judge who has service with more than one participating	
44	employer shall be considered full-time by the office for a period of service in which the judge	
45	is certified as full-time by:	
46	(i) a participating employer; or	
47	(ii) the S→ [Office of the State Court Administrator] Administrative Office of the	
47a	Courts $\leftarrow \hat{S} = \hat{S} \rightarrow [\frac{\text{based on the judge's total full-time}}{\hat{S}}]$	
48	caseload] beginning on or after January 1, 2009, based on the judge's aggregate	
48a	caseload of the multiple employers as determined by the judge's caseloads of the individual	
48b	courts of each employer in accordance with Subsection 78A-7-206(1)(b)(ii) $\leftarrow \hat{S}$.	
49	(b) If a justice court judge has full-time service under Subsection (3)(a), the office shall	
50	compute an allowance on the basis of total compensation actually received from all	
51	participating employers by the judge during the total period of full-time service.	
52	(c) If a justice court judge has part-time service performed that is not within a period	
53	considered full-time service under Subsection (3)(a), the office shall compute a separate	
54	allowance on the basis of compensation actually received by the member during the period of	
55	part-time service.	
56	(4) All of the service rendered by a justice court judge in any one fiscal or calendar	
57	year may not count for more than one year of service credit.	
58	Section 2. Section 49-13-406 is amended to read:	

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39	49-13-400. Exceptions for part-time elective or appointive service Computation
60	of allowance Justice court judges.
61	(1) Notwithstanding [any other provisions of this title,] the provisions of Sections
62	49-11-401 and 49-13-102, and unless otherwise provided in this section, a member's elective or
63	appointive service rendered on a basis not considered full_time by the office[, unless otherwise
64	provided by this chapter,] shall have a separate allowance computed on the basis of
65	compensation actually received by the member during the period of elective or appointive
66	service.
67	(2) (a) A justice court judge who has service with only one participating employer shall
68	be considered part-time or full-time by the office as certified by the participating employer.
69	(b) If a justice court judge has a combination of part-time service and full-time position
70	service with one participating employer, the office shall compute separate allowances on the
71	basis of compensation actually received by the judge during the part-time and full-time periods
72	of service.
73	(3) (a) A justice court judge who has service with more than one participating
74	employer shall be considered full-time by the office for a period of service in which the judge
75	is certified as full-time by:
76	(i) a participating employer; or
77	(ii) the $\hat{S} \rightarrow [\underline{Office\ of\ the\ State\ Court\ Administrator}]$ Administrative Office of the
77a	Courts $\leftarrow \hat{S}$ $\hat{S} \rightarrow [\frac{1}{2}]$ based on the judge's total full-time
78	easeload beginning on or after January 1, 2009, based on the judge's aggregate
78a	caseload of the multiple employers as determined by the judge's caseloads of the individual
78b	courts of each employer in accordance with Subsection 78A-7-206(1)(b)(ii) $\leftarrow \hat{S}$.
79	(b) If a justice court judge has full-time service under Subsection (3)(a), the office shall
80	compute an allowance on the basis of total compensation actually received from all
81	participating employers by the judge during the total period of full-time service.
82	(c) If a justice court judge has part-time service performed that is not within a period
83	considered full-time service under Subsection (3)(a), the office shall compute a separate
84	allowance on the basis of compensation actually received by the member during the period of
85	part-time service.
86	(4) All of the service rendered by a justice court judge in any one fiscal or calendar
87	year may not count for more than one year of service credit.
87a	Ŝ→ <u>Section 3. Effective date.</u>
87b	This bill takes effect on January 1, 2016. ←Ŝ

Legislative Review Note as of 2-17-15 4:45 PM

Office of Legislative Research and General Counsel