

**RECODIFICATION OF POSTRETIREMENT REEMPLOYMENT
PROVISIONS**

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: Todd Weiler

LONG TITLE

Committee Note:

The Retirement and Independent Entities Interim Committee recommended this bill.

General Description:

This bill modifies the Utah State Retirement and Insurance Benefit Act by amending postretirement reemployment provisions.

Highlighted Provisions:

This bill:

- ▶ recodifies postretirement employment provisions;
- ▶ clarifies amortization rate payments for certain reemployed retirees; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

→ [None] This bill provides a coordination clause. ←

Utah Code Sections Affected:

AMENDS:

49-11-102, as last amended by Laws of Utah 2014, Chapter 15

49-11-405, as last amended by Laws of Utah 2010, Chapter 264

49-11-504, as last amended by Laws of Utah 2013, Chapter 316



1020 employee under Subsection (2).

1021 (ii) The department shall make recommendations annually to the Legislature on the
1022 contribution amount required under Subsection (2), in consultation with the Governor's Office
1023 of Management and Budget and the Division of Finance.

1024 (iii) The biweekly matching contribution amount required under Subsection (2) may
1025 not exceed \$26 for each qualifying employee.

1026 (4) A qualifying employee is eligible to receive the biweekly contribution under this
1027 section for any pay period in which the employee is in a paid status or other status protected by
1028 federal or state law.

1029 (5) The employer and employee contributions made and related earnings under this
1030 section vest immediately upon deposit and can be withdrawn by the employee at any time,
1031 subject to Internal Revenue Code regulations on the withdrawals.

1032 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1033 executive director shall make rules establishing procedures to implement the provisions of this
1034 section.

1035 Section 23. **Repealer.**

1036 This bill repeals:

1037 Section [49-11-505](#), Reemployment of a retiree -- Restrictions.

1037a **§→ Section 24. Coordinating H.B. 51 with S.B. 19 -- Technical renumbering and**
1037b **substantive amendments.**

1037c **If this H.B. 51 and S.B. 19, Phased Retirement, both pass and become law, it is the**
1037d **intent of the Legislature that the Office of Legislative Research and General Counsel prepare**
1037e **the Utah Code database for publication by:**

1037f **(1) renumbering Part 12, Phased Retirement, enacted by S.B. 19 to Part 13, Phased**
1037g **Retirement, and renumber and change all references from Part 12 to Part 13 accordingly;**

1037h **(2) changing the reference to "Section 49-11-505" in Section 49-11-1202 enacted in S.B.**
1037i **19, which will be technically renumbered to Section 49-11-1302, to "Section 49-11-1204";**

1037j **(3) changing the reference to "Subsection 49-11-505(3)(a)" in Section 49-11-1206**
1037k **enacted in S.B. 19, which will be technically renumbered to Section 49-11-1306, to "Subsection**
1037l **49-11-1204(2)"; and**

1037m **(4) modifying Subsection 49-11-1202(4)(b) enacted by H.B. 51 to read:**

1037n **"(b) does not include a person:**

1037o **(i)(A) who was reemployed by a participating employer before July 1, 2010; and**

1037p **(B) whose participating employer that reemployed the person under ☺**

1037q **✪ Subsection (4)(b)(i)(A) was dissolved consolidated, merged, or structurally changed in**
1037r **accordance with Section 49-11-621 on or after July 1, 2010; or**
1037s **(ii) does not include a person who is working under a phased retirement agreement in**
1037t **accordance with Title 49, Chapter 11, Part 13, Phased Retirement."** ←§

Legislative Review Note
Office of Legislative Research and General Counsel