



# UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL  
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January 31, 2018

Mr. President,

The Retirement and Independent Entities Committee reports a favorable recommendation on **S.B. 113**, POSTRETIREMENT REEMPLOYMENT REVISIONS, by Senator J. Iwamoto, with the following amendments:

1. *Page 1, Lines 20 through 21:*

20           •     is reemployed by a different participating employer than the participating  
21     employer that employed the retiree at the time of retirement     except in limited  
circumstances ;

2. *Page 1, Line 23:*

23     certain circumstances;  
▶ requires certain member certifications on the retirement application form;  
=

3. *Page 6, Lines 165 through 166:*

165           (c) The office shall, on or before November 30, 2024, study, evaluate, and report on  
the  
166     actuarial costs and effectiveness of implementing the {~~educator~~}     public safety  
service and firefighter service     retiree reemployment exception

4. *Page 7, Lines 196 through 198:*

196           (8) Notwithstanding Subsections (4)(a)(i)(B) and (5)(b)(ii), a reemployed retiree  
that  
197     was employed by     :  
(a)     the state of Utah at the time of retirement may be reemployed by the state

Bill Number



SB0113

Action Class



S

Action Code



SCRAMD

198 ~~{ of~~  
~~Utah~~} under Subsection (4) or (5) if the reemployment is with a different agency or  
office ~~{ . }~~ ; or

(b) a participating employer located within a county of the fourth, fifth, or sixth class, as classified under Section 17-50-501, may be reemployed by that participating employer under Subsection (4) or (5) if before the retiree is reemployed:

(i) the participating employer certifies to the office, under penalty of fraud, the facts and circumstances of rehire, including any prearrangement for reemployment before the member's retirement date; and

(ii) the office performs a facts and circumstances review and determines there was a bona fide termination of employment with that participating employer, including the specific finding that there was not a prearrangement for reemployment before the member's retirement date.

5. *Page 7, Line 209 through Page 8, Line 210:*

209 under Section 49-11-1204 or 49-11-1205.

(4) The retirement application form submitted to the office shall contain the retiring member's certification, under penalty of fraud, of whether there was a prearrangement of reemployment before the retiree's retirement date with the participating employer.

210 Section 4. Section **49-11-1207** is amended to read:

6. *Page 8, Line 230:*

230 delinquent retiree surcharge and amortization rate contributions, plus interest . under  
Section

Respectfully,

Brian Zehnder  
Chair

Voting: 5-0-1