

26 49-11-1204, as last amended by Laws of Utah 2020, Chapter 24
 27 49-11-1205, as last amended by Laws of Utah 2021, Chapter 193
 28 49-11-1302, as enacted by Laws of Utah 2016, Chapter 280 and last amended by
 29 Coordination Clause, Laws of Utah 2016, Chapter 310
 30 63I-1-249, as last amended by Laws of Utah 2021, Chapter 195

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

33 Section 1. Section 49-11-1204 is amended to read:

34 **49-11-1204. General restrictions -- Election following period of separation --**
 35 **Amortization rate.**

36 (1) A retiree may not for the same period of reemployment:

- 37 (a) (i) earn additional service credit; or
- 38 (ii) receive any retirement related contribution from a participating employer; and
- 39 (b) receive a retirement allowance.

40 (2) (a) Except as provided under Section 49-11-1205, the office shall cancel the
 41 retirement allowance of a retiree if the reemployment with a participating employer begins
 42 within [~~one year of the retiree's retirement date.~~]:

43 (i) ~~H~~ → [60] 90 ← ~~H~~ days of the retiree's retirement date, if the retiree is retiring from one of

43a the
 44 following retirement systems:

- 45 (A) Chapter 14, Public Safety Contributory Retirement Act;
- 46 (B) Chapter 15, Public Safety Noncontributory Retirement Act;
- 47 (C) Chapter 16, Firefighters' Retirement Act; or
- 48 (D) Chapter 23, New Public Safety and Firefighter Tier II Contributory Retirement
 49 Act; or

50 (ii) one year of the retiree's retirement date, if the retiree retires from a system other
 51 than a system described in Subsection (2)(a)(i).

52 (b) If the office cancels the retiree's retirement allowance under Subsection (2)(a), the
 53 retiree may be eligible to earn additional service credit in the reemployed position and receive
 54 an allowance in accordance with Subsections (4)(a) and (5) and other provisions of this title.

55 (c) For purposes of determining whether the separation period described in Subsection
 56 (2)(a) has been met, a retiree:

181 Division of Finance according to Sections 63A-3-106 and 63A-3-107.

182 (d) The board shall adjust the amount under Subsection (4)(b)(i) by the annual change
183 in the Consumer Price Index during the previous calendar year as measured by a United States
184 Bureau of Labor Statistics Consumer Price Index average, as determined by the board.

185 (5) (a) If a retiree is reemployed under the provisions of Subsection (1) or (4), the
186 termination date of the reemployment, as confirmed in writing by the participating employer, is
187 considered the retiree's retirement date for the purpose of calculating the separation
188 requirement under Section 49-11-1204.

189 (b) The office shall cancel the retirement allowance of a retiree for the remainder of the
190 calendar year if the reemployment with a participating employer exceeds the limitation under
191 Subsection (1)(a)(iii), (3)(b), or (4)(b).

192 Section 3. Section **49-11-1302** is amended to read:

193 **49-11-1302. Phased retirement -- Voluntary participation -- Employer duties.**

194 A participating employer may elect to participate in phased retirement for a retiree who
195 has not completed the [~~one-year~~] employment separation requirement under Section
196 49-11-1204 under the conditions established under this part, if the participating employer:

197 (1) establishes written policies and procedures for phased retirement that shall include
198 provisions for:

- 199 (a) granting and denying a request for phased retirement;
- 200 (b) needed approvals within the participating employer;
- 201 (c) time limits or other restrictions;
- 202 (d) identifying positions that may be included or excluded; and
- 203 (e) the elements of a written agreement described under Section 49-11-1304;
- 204 (2) enters into an agreement described under Section 49-11-1304;
- 205 (3) submits an application to the office for phased retirement on behalf of the parties of
206 the agreement described under Section 49-11-1304; and
- 207 (4) complies with this part.

208 Section 4. Section **63I-1-249** is amended to read:

209 **63I-1-249. Repeal dates, Title 49.**

210 (1) Subsection 49-11-1204(2)(a)(i), relating to a ~~H~~→ [60-day] 90-day ←~~H~~ separation for
210a public safety and
211 firefighter retirees, is repealed July 1, 2026.