

## 2012 Kansas Statutes

**74-4998a. Membership and service credit for certain legislative service which was not covered by social security; basis for benefit computation; benefits for spouses of certain deceased former legislators.** (1) Each person who has served as a member of the Kansas legislature, whose service as a member of the Kansas legislature was not covered by the federal social security act and who had 10 or more years of such service prior to January 1, 1974, shall become a member of the Kansas public employees retirement system upon receipt by the board of trustees of the system of an application in a manner prescribed by the board of trustees.

(2) Any person becoming a member of the system under this section shall receive prior service credit for all service as a member of the legislature which is not covered by the federal social security act. No service credit shall be granted under the provisions of this section for service as a member of the legislature while not covered by the federal social security act for any service which has previously been credited under the system.

(3) Any member of the system, who has become a member of the system prior to the effective date of this act and who has had 10 or more years of service as a member of the legislature while not covered by the federal social security act prior to January 1, 1974, shall receive prior service credit for any such service which has not previously been credited under the system.

(4) Benefits for prior service credited under this section shall accrue from the first day of the month coinciding with or following a receipt of the application and verification by the board of trustees under this section. For members receiving prior service credit under the provisions of this section, benefits for such service shall be computed on the basis of a prior service annual salary of \$3,720 unless such member has a prior service annual salary or final average salary which is greater. However, in no event will the monthly calculated benefit for the retiree be less than \$50 per month.

(5) The surviving spouse of any deceased former member of the legislature whose service prior to January 1, 1974, was not covered by social security and who would have been otherwise eligible for benefits under this section except for being deceased, may receive benefits under the provisions of this section under the joint and 1/2 to joint annuitant survivor option as though the deceased former member of the legislature had been eligible for benefits under this section and had retired on the date of death. Such benefits shall be payable only if the surviving spouse was the spouse of the deceased on the date of death. Such benefits shall accrue from the first day of the month coinciding with or following the receipt of an application in a manner prescribed by the board of trustees.

**History:** L. 1982, ch. 319, § 47; L. 1986, ch. 294, § 14; L. 1988, ch. 302, § 17; July 1.