

As Amended by House Committee

Session of 2015

HOUSE BILL No. 2253

By Committee on Pensions and Benefits

2-5

1 AN ACT concerning retirement and pensions; relating to the Kansas public  
2 employees retirement system; employment after retirement ~~for certain~~  
3 ~~retirants employed as teachers; extending;~~ special provisions **for**  
4 **certain retirants employed as teachers**; amending K.S.A. 2014 Supp.  
5 **74-4914, 74-4937 and 74-49,301** and repealing the existing ~~section~~  
6 ~~sections~~.

7  
8 *Be it enacted by the Legislature of the State of Kansas:*

9 **Section 1. K.S.A. 2014 Supp. 74-4914 is hereby amended to read**  
10 **as follows: 74-4914. (1) The normal retirement date for a member of**  
11 **the system shall be the first day of the month coinciding with or**  
12 **following termination of employment with any participating employer**  
13 **not followed by employment with any participating employer within**  
14 **60 days and the attainment of age 65 or, commencing July 1, 1993, age**  
15 **62 with the completion of 10 years of credited service or the first day**  
16 **of the month coinciding with or following the date that the total of the**  
17 **number of years of credited service and the number of years of**  
18 **attained age of the member is equal to or more than 85. In no event**  
19 **shall a normal retirement date for a member be before six months**  
20 **after the entry date of the participating employer by whom such**  
21 **member is employed. A member may retire on the normal retirement**  
22 **date or on the first day of any month thereafter upon the filing with**  
23 **the office of the retirement system of an application in such form and**  
24 **manner as the board shall prescribe. Nothing herein shall prevent any**  
25 **person, member or retirant from being employed, appointed or**  
26 **elected as an employee, appointee, officer or member of the**  
27 **legislature. Elected officers may retire from the system on any date on**  
28 **or after the attainment of the normal retirement date, but no**  
29 **retirement benefits payable under this act shall be paid until the**  
30 **member has terminated such member's office.**

31 **(2) Except as provided in subsection (7), no retirant shall make**  
32 **contributions to the system or receive service credit for any service**  
33 **after the date of retirement.**

34 **(3) Any member who is an employee of an affiliating employer**  
35 **pursuant to K.S.A. 74-4954b, and amendments thereto and has not**  
36 **withdrawn such member's accumulated contributions from the**

1 Kansas police and firemen's retirement system may retire before such  
2 member's normal retirement date on the first day of any month  
3 coinciding with or following the attainment of age 55.

4 (4) Any member may retire before such member's normal  
5 retirement date on the first day of any month coinciding with or  
6 following termination of employment with any participating employer  
7 not followed by employment with any participating employer within  
8 60 days and the attainment of age 55 with the completion of 10 years  
9 of credited service, but in no event before six months after the entry  
10 date, upon the filing with the office of the retirement system of an  
11 application for retirement in such form and manner as the board shall  
12 prescribe.

13 (5) *Except as provided in subsection (7), on or after July 1, 2006,*  
14 *for any retirant who is first employed or appointed in or to any*  
15 *position or office by a participating employer other than a*  
16 *participating employer for which such retirant was employed or*  
17 *appointed during the final two years of such retirant's participation,*  
18 *and, on or after April 1, 2009, for any retirant who is employed by a*  
19 *third-party entity who contracts services with a participating*  
20 *employer other than a participating employer for which such retirant*  
21 *was employed or appointed during the final two years of such*  
22 *retirant's participation to fill a position covered under-subsection (a) of*  
23 *K.S.A. 72-5410(a), and amendments thereto, with such retirant, such*  
24 *participating employer shall pay to the system the actuarially*  
25 *determined employer contribution and the statutorily prescribed*  
26 *employee contribution based on the retirant's compensation during*  
27 *any such period of employment or appointment. If a retirant who*  
28 *retired on or after July 1, 1988, is employed or appointed in or to any*  
29 *position or office for which compensation for service is paid in an*  
30 *amount equal to \$20,000 or more in any one such calendar year, by*  
31 *any participating employer for which such retirant was employed or*  
32 *appointed during the final two years of such retirant's participation,*  
33 *and, on or after April 1, 2009, by any third-party entity who contracts*  
34 *services to fill a position covered under-subsection (a) of K.S.A. 72-*  
35 *5410(a), and amendments thereto, with such retirant with a*  
36 *participating employer for which such retirant was employed or*  
37 *appointed during the final two years of such retirant's participation,*  
38 *such retirant shall not receive any retirement benefit for any month*  
39 *for which such retirant serves in such position or office. The*  
40 *participating employer who employs such retirant whether by*  
41 *contract directly with the retirant or through an arrangement with a*  
42 *third-party entity shall report to the system within 30 days of when*  
43 *the compensation paid to the retirant is equal to or exceeds any*

1 limitation provided by this section. Any participating employer who  
2 contracts services with any such third-party entity to fill a position  
3 covered under ~~subsection (a)~~ of K.S.A. 72-5410(a), and amendments  
4 thereto, shall include in such contract a provision or condition which  
5 requires the third-party entity to provide the participating employer  
6 with the necessary compensation paid information related to any such  
7 position filled by the third-party entity with a retirant to enable the  
8 participating employer to comply with provisions of this subsection  
9 relating to the payment of contributions and reporting requirements.  
10 The provisions and requirements provided for in amendments made  
11 in this act which relate to positions filled with a retirant or  
12 employment of a retirant by a third-party entity shall not apply to any  
13 contract for services entered into prior to April 1, 2009, between a  
14 participating employer and third-party entity as described in this  
15 subsection. Any retirant employed by a participating employer or a  
16 third-party entity as provided in this subsection shall not make  
17 contributions nor receive additional credit under such system for such  
18 service except as provided by this section. Upon request of the  
19 executive director of the system, the secretary of revenue shall provide  
20 such information as may be needed by the executive director to carry  
21 out the provisions of this act. The provisions of this subsection shall  
22 not apply to retirants employed as substitute teachers or officers,  
23 employees or appointees of the legislature. The provisions of this  
24 subsection shall not apply to members of the legislature prior to  
25 January 8, 2000. The provisions of this subsection shall not apply to  
26 any other elected officials prior to the term of office of such elected  
27 official which commences on or after July 1, 2000. The provisions of  
28 this subsection shall apply to any other elected official on and after the  
29 term of office of such other elected official which commences on or  
30 after July 1, 2000. Except as otherwise provided, commencing January  
31 8, 2001, the provisions of this subsection shall apply to members of the  
32 legislature. For determination of the amount of compensation paid  
33 pursuant to this subsection, for members of the legislature,  
34 compensation shall include any amount paid as provided pursuant to  
35 subsections (a), (b), (c) and (d) of K.S.A. 46-137a(a), (b), (c) and (d), and  
36 amendments thereto, or pursuant to K.S.A. 46-137b, and amendments  
37 thereto. Notwithstanding any provision of law to the contrary, when a  
38 member of the legislature is paid an amount of compensation of  
39 \$20,000 or more in any one calendar year, the member may continue  
40 to receive any amount provided in ~~subsections (b) and (d)~~ of K.S.A. 46-  
41 137a(b) and (d), and amendments thereto, and still be entitled to  
42 receive such member's retirement benefit. Commencing July 1, 2005,  
43 the provisions of this subsection shall not apply to retirants who either

1 retired under the provisions of subsection (1), or, if they retired under  
2 the provisions of subsection (4), were retired more than 30 days prior  
3 to the effective date of this act and are licensed professional nurses or  
4 licensed practical nurses employed by the state of Kansas in an  
5 institution as defined in ~~subsection (b) of K.S.A. 76-12a01(b) or~~  
6 ~~subsection (f) of K.S.A. 38-2302(f),~~ and amendments thereto, the  
7 Kansas soldiers' home or the Kansas veterans' home. Nothing in this  
8 subsection shall be construed to create any right, or to authorize the  
9 creation of any right, which is not subject to amendment or  
10 nullification by act of the legislature. The participating employer of  
11 such retirant shall pay to the system the actuarially determined  
12 employer contribution based on the retirant's compensation during  
13 any such period of employment.

14 (6) For purposes of this section, any employee of a local  
15 governmental unit which has its own pension plan who becomes an  
16 employee of a participating employer as a result of a merger or  
17 consolidation of services provided by local governmental units, which  
18 occurred on January 1, 1994, may count service with such local  
19 governmental unit in determining whether such employee has met the  
20 years of credited service requirements contained in this section.

21 (7) (a) *Except as provided in K.S.A. 74-4937(3) and (4), and*  
22 *amendments thereto, and the provisions of this subsection, commencing*  
23 *July 1, 2016, and ending June 30, 2017, for any retirant who is first*  
24 *employed or appointed in or to any position covered under K.S.A. 74-*  
25 *4902(14) or 74-4932(4), and amendments thereto, by a participating*  
26 *employer, without any prearranged agreement with such participating*  
27 *employer and not prior to 60 days after such retirant's retirement date,*  
28 *such retirant shall have such retirant's retirement benefit suspended*  
29 *pursuant to this subsection. In such case, such retirant shall once again*  
30 *become an active and vested member of the system under and subject to*  
31 *the provisions of K.S.A. 74-49,301, and amendments thereto, unless*  
32 *specifically provided under the provisions of this subsection.*

33 (b) *The provisions of this subsection shall not apply to retirants that*  
34 *are employed as:*

35 (i) *Licensed professional nurses or licensed practical nurses*  
36 *employed by the state of Kansas in an institution as defined in K.S.A. 76-*  
37 *12a01(b) or 38-2302(f), and amendments thereto, the Kansas soldiers'*  
38 *home or the Kansas veterans' home;*

39 (ii) *employed by a school district in a position as provided in K.S.A.*  
40 *74-4937(3) or (4), and amendments thereto;*

41 (iii) *employed or appointed in or to any position not covered under*  
42 *K.S.A. 74-4902(14) or 74-4932(4), and amendments thereto, who is paid*  
43 *an amount that is less than \$20,000 in calendar year 2016 or 2017. Any*

1 *such retirant who is employed or appointed in or to any position or office*  
2 *for which compensation for service is paid in an amount equal to \$20,000*  
3 *or more in any one such calendar year; by any participating employer for*  
4 *which such retirant was employed or appointed and, by any third-party*  
5 *entity who contracts services to fill a position, such retirant shall not*  
6 *receive any retirement benefit for any month for which such retirant serves*  
7 *in such position or office. The participating employer who employs such*  
8 *retirant whether by contract directly with the retirant or through an*  
9 *arrangement with a third-party entity shall report to the system within 30*  
10 *days of when the compensation paid to the retirant is equal to or exceeds*  
11 *any limitation provided by this section. Any participating employer who*  
12 *contracts services with any such third-party entity to fill a position shall*  
13 *include in such contract a provision or condition which requires the third-*  
14 *party entity to provide the participating employer with the necessary*  
15 *compensation paid information related to any such position filled by the*  
16 *third-party entity with a retirant to enable the participating employer to*  
17 *comply with provisions of this subsection relating to the payment of*  
18 *contributions and reporting requirements; or*

19 *(iv) any retirant who is employed by a third-party entity who*  
20 *contracts services with a participating employer to fill a position that*  
21 *would otherwise be a position covered under K.S.A. 74-4902(14) or 74-*  
22 *4932(4), and amendments thereto. Such participating employer shall pay*  
23 *to the system the actuarially determined employer contribution and the*  
24 *statutorily prescribed employee contribution based on the retirant's*  
25 *compensation during any such period of employment or appointment. The*  
26 *participating employer who employs such retirant whether by contract*  
27 *directly with the retirant or through an arrangement with a third-party*  
28 *entity shall report to the system within 30 days of when the compensation*  
29 *paid to the retirant is equal to or exceeds any limitation provided by this*  
30 *section. Any participating employer who contracts services with any such*  
31 *third-party entity to fill a position covered under K.S.A. 72-5410(a), and*  
32 *amendments thereto, shall include in such contract a provision or*  
33 *condition which requires the third-party entity to provide the participating*  
34 *employer with the necessary compensation paid information related to any*  
35 *such position filled by the third-party entity with a retirant to enable the*  
36 *participating employer to comply with provisions of this subsection*  
37 *relating to the payment of contributions and reporting requirements.*

38 *(c) Existing service credit of a retirant who becomes a member of the*  
39 *system pursuant to this subsection shall be used to determine the retirant's*  
40 *employer credits for the retirant's retirement annuity account pursuant to*  
41 *K.S.A. 74-49,307, and amendments thereto.*

42 *(d) (1) Each retirant who becomes a member of the system pursuant*  
43 *to this subsection shall make member contributions as required pursuant*

1 to K.S.A. 74-49,305, and amendments thereto, which shall be credited to  
2 the retirant's annuity savings account pursuant to K.S.A. 74-49,306, and  
3 amendments thereto.

4 (2) *The participating employer of a retirant who becomes a member*  
5 *of the system pursuant to this subsection shall pay to the system employer*  
6 *contributions as provided in K.S.A. 74-4920, and amendments thereto.*

7 (e) *Any retirant who becomes a member of the system pursuant to*  
8 *this subsection may take a partial or full lump-sum payment of the balance*  
9 *in the retirant's annuity savings account and retirement annuity account*  
10 *upon leaving employment. If the retirant has a minimum account balance*  
11 *of \$6,000, including both employee contributions and employer pay*  
12 *credits and interest credits, less any lump-sum payment, the retirant shall*  
13 *receive an annuity based on the balance in the retirant's annuity savings*  
14 *account pursuant to K.S.A. 74-49,311 and 74-49,313, and amendments*  
15 *thereto.*

16 (f) *A retirant who becomes a member of the system pursuant to this*  
17 *subsection shall not be eligible for any purchases of service credit*  
18 *pursuant to K.S.A. 74-4919a, and amendments thereto, nor the plan of*  
19 *long-term disability benefits pursuant to K.S.A. 74-4927, and amendments*  
20 *thereto. Such retirant shall be eligible for the plan of death benefits*  
21 *pursuant to K.S.A. 74-4927, and amendments thereto.*

22 (g) *All benefits payable under the provisions of this subsection are*  
23 *subject to the provisions of K.S.A. 74-49,123, and amendments thereto.*

24 (h) *Nothing in this subsection shall be construed to create any right,*  
25 *or to authorize the creation of any right, which is not subject to*  
26 *amendment or nullification by act of the legislature.*

27 ~~Section 1.~~ **Sec. 2.** K.S.A. 2014 Supp. 74-4937 is hereby amended to  
28 read as follows: 74-4937. (1) The normal retirement date of a member of  
29 the system who is in school employment and who is subject to K.S.A. 74-  
30 4940, and amendments thereto, shall be the first day of the month  
31 coinciding with or following termination of employment not followed by  
32 employment with any participating employer within 60 days and the  
33 attainment of age 65 or, commencing July 1, 1986, age 65 or age 60 with  
34 the completion of 35 years of credited service or at any age with the  
35 completion of 40 years of credited service, or commencing July 1, 1993,  
36 any alternative normal retirement date already prescribed by law or age 62  
37 with the completion of 10 years of credited service or the first day of the  
38 month coinciding with or following the date that the total of the number of  
39 years of credited service and the number of years of attained age of the  
40 member is equal to or more than 85. Each member upon giving prior  
41 notice to the appointing authority and the retirement system may retire on  
42 the normal retirement date or the first day of any month thereafter.

43 (2) Any member who is in school employment and who is subject to

1 K.S.A. 74-4940, and amendments thereto, may retire before such  
2 member's normal retirement date on the first day of the month coinciding  
3 with or following termination of employment not followed by employment  
4 with any participating employer within 60 days and the attainment of age  
5 55 with the completion of 10 years of credited service, upon the filing with  
6 the office of the retirement system of an application for retirement in such  
7 form and manner as the board shall prescribe.

8 **(3) (a) Commencing July 1, 2009 Before July 1, 2016**, the provisions  
9 of ~~subsection (5) of K.S.A. 74-4914(5)~~, and amendments thereto, which  
10 relate to an earnings limitation which when met or exceeded requires that  
11 the retirant not receive a retirement benefit for any month for which such  
12 retirant serves in a position as described herein shall not apply to retirants  
13 who either retired under the provisions of ~~subsection (1) of K.S.A. 74-~~  
14 ~~4914(1)~~, and amendments thereto, related to normal retirement, or, if they  
15 retired under the provisions of ~~subsection (4) of K.S.A. 74-4914(4)~~, and  
16 amendments thereto, related to early retirement, were retired more than 60  
17 days prior to the effective date of this act, and are subsequently hired in a  
18 position that requires a license under K.S.A. 72-1388, and amendments  
19 thereto, or other provision of law. The provisions of this subsection do not  
20 apply to retirants who retired under ~~subsection (4) of K.S.A. 74-4914(4)~~,  
21 and amendments thereto, which relates to early retirement prior to age 62.  
22 Except as otherwise provided, when a retirant is employed by the same  
23 school district or a different school district with which such retirant was  
24 employed during the final two years of such retirant's participation or  
25 employed by a third-party entity who contracts services with a school  
26 district to fill a position as described in this subsection, the participating  
27 employer of such retirant shall pay to the system the actuarially  
28 determined employer contribution based on the retirant's compensation  
29 during any such period of employment plus 8%. The provisions of this  
30 subsection shall not apply to retirants employed as substitute teachers. The  
31 provisions of ~~subsection (5) of K.S.A. 74-4914(5)~~, and amendments  
32 thereto, shall be applicable to retirants employed as described in this  
33 subsection, except as specifically provided in this subsection. Nothing in  
34 this subsection shall be construed to create any right, or to authorize the  
35 creation of any right, which is not subject to amendment or nullification by  
36 act of the legislature.

37 **(b) On and after July 1, 2016, the provisions of K.S.A. 74-4914(5)**  
38 **and (7), and amendments thereto, shall not apply to retirants who**  
39 **either retired under the provisions of K.S.A. 74-4914(1), and**  
40 **amendments thereto, related to normal retirement, or, if they retired**  
41 **under the provisions of K.S.A. 74-4914(4), and amendments thereto,**  
42 **related to early retirement, were retired more than 60 days prior to**  
43 **the effective date of this act, and are subsequently hired without any**

1 prearranged agreement with such participating employer prior to  
2 retirement, in a position as a special teacher as defined in K.S.A. 72-  
3 962, and amendments thereto. The provisions of this subsection do not  
4 apply to retirants who retired under K.S.A. 74-4914(4), and  
5 amendments thereto, which relates to early retirement prior to age 62.  
6 Except as otherwise provided, when a retirant is employed by the  
7 same school district or a different school district with which such  
8 retirant was employed during the final two years of such retirant's  
9 participation or employed by a third-party entity who contracts  
10 services with a school district to fill a special teacher position, the  
11 retirant hired may continue to receive such retirant's full retirement  
12 benefit and shall not be subject to the provisions of K.S.A. 74-4914(5),  
13 and amendments thereto, which relate to an earnings limitation which  
14 when met or exceeded requires that the retirant not receive a  
15 retirement benefit for any month for which such retirant serves in a  
16 position described herein. The participating employer of such retirant  
17 shall pay to the system the actuarially determined employer  
18 contribution based on the retirant's compensation during any such  
19 period of employment plus 8%. The provisions of this subsection shall  
20 not apply to retirants employed as substitute teachers. The provisions  
21 of K.S.A. 74-4914(5), and amendments thereto, shall be applicable to  
22 retirants employed as special teachers, except as specifically provided  
23 in this subsection. Nothing in this subsection shall be construed to  
24 create any right, or to authorize the creation of any right, which is not  
25 subject to amendment or nullification by act of the legislature.

26 (c) The provisions of this subsection shall expire on July 1, 2015-  
27 2018. After such date July 1, 2015, and July 1, 2018, the Kansas public  
28 employees retirement system and its actuary shall report the experience to  
29 the joint committee on pensions, investments and benefits.

30 (4) (a) On and after July 1, 2016, a school district may hire a  
31 retired licensed professional to fill a non-special teacher position if  
32 such retirant has been retired more than 60 days prior to the effective  
33 date of this act, and if such school district submits a request to the  
34 state board of education, on a form provided by the state board of  
35 education, along with a certified report from the school board of such  
36 school district that details all of the efforts taken by the school district  
37 to fill such non-special teacher position with a non-retired, licensed  
38 replacement. Such certified report shall include:

- 39 (i) The date the vacant position was posted internally and  
40 externally;
- 41 (ii) the number of applications received;
- 42 (iii) the number and dates of any interviews conducted;
- 43 (iv) the specific reason that non-retired applicants did not meet

1 the requirements for the open position, as compared to the retirant the  
2 school district proposes to hire; and

3 (v) a certification that there was no prearranged agreement  
4 between the participating employer and the retirant the school district  
5 proposes to hire.

6 (b) The state board of education shall review each request and  
7 certified report and, upon determining that the certified report meets  
8 the criteria of this subsection, shall approve the request of the school  
9 district to hire the retirant specified in such request. If such certified  
10 report does not meet the criteria of this subsection, the state board of  
11 education shall deny such request.

12 (c) If the school district's request is approved by the state board  
13 of education, such school district may hire the retirant specified in the  
14 request for a period not to exceed one school year. A retirant hired  
15 under the provisions of this subsection may continue to receive such  
16 retirant's full retirement benefit and shall not be subject to the  
17 provisions of K.S.A. 74-4914(5), and amendments thereto, which relate  
18 to an earnings limitation which when met or exceeded requires that  
19 the retirant not receive a retirement benefit for any month for which  
20 such retirant serves in a position as described herein. The  
21 participating employer of such retirant shall pay to the system the  
22 actuarially determined employer contribution based on the retirant's  
23 compensation during any such period of employment plus 8%. The  
24 provisions of this subsection shall not apply to retirants employed as  
25 substitute teachers. The provisions of K.S.A. 74-4914(5), and  
26 amendments thereto, shall be applicable to retirants employed as  
27 described in this subsection, except as specifically provided in this  
28 subsection. Nothing in this subsection shall be construed to create any  
29 right, or to authorize the creation of any right, which is not subject to  
30 amendment or nullification by act of the legislature. The provisions of  
31 K.S.A. 74-4914(7), and amendments thereto, shall not apply to  
32 retirants employed pursuant to the provisions of this subsection.

33 (d) The department of education shall submit a report to the  
34 legislature and to the joint committee on pensions, investments and  
35 benefits at the beginning of the regular session of the legislature in  
36 2018. The report shall include, by each school district, the number of  
37 requests to hire retirants submitted to the state board of education,  
38 the number of retirants hired and the positions for which such  
39 retirants were hired pursuant to the provisions of this subsection.

40 (e) The provisions of this subsection shall expire on July 1, 2017.

41 Sec. 3. K.S.A. 2014 Supp. 74-49,301 is hereby amended to read as  
42 follows: 74-49,301. (a) The provisions of K.S.A. 2014 Supp. 74-49,301  
43 through 74-49,318, and amendments thereto, shall be known and may

1 be cited as the Kansas public employees retirement system act of 2015.

2 (b) Any employee who is first employed by a participating  
3 employer on or after January 1, 2015, shall be a member of the system  
4 under the provisions of this act on the first day of employment of such  
5 employee with such participating employer.

6 (c) (1) Any non-vested employee other than an elected official of a  
7 participating employer who has been employed in a covered position  
8 as defined in K.S.A. 2014 Supp. 74-49,202, and amendments thereto,  
9 other than with a school employer, shall remain a member of the  
10 Kansas public employees retirement system as provided pursuant to  
11 K.S.A. 74-4901 et seq., and amendments thereto, on and after July 1,  
12 2009, if the member: (A) Does not leave covered employment with a  
13 participating employer for a period of time exceeding 30 consecutive  
14 days; (B) does not withdraw such member's annuity savings account  
15 as defined by K.S.A. 74-49,302, and amendments thereto, forfeiting  
16 such member's membership in the interim; and (C) returns to covered  
17 employment with a participating employer in a covered position  
18 within such 30-day time period.

19 (2) Any non-vested employee other than an elected official of a  
20 participating employer who has been employed in a covered position  
21 with a participating school employer, shall remain a member of the  
22 Kansas public employees retirement system as provided pursuant to  
23 K.S.A. 74-4901 et seq., and amendments thereto, if the member: (A)  
24 Was employed in a covered position with a participating school  
25 employer for the duration of the school year and immediately returns  
26 to covered employment with another participating school employer at  
27 the beginning of the following school year; and (B) does not withdraw  
28 such member's annuity savings account as defined by K.S.A. 74-  
29 49,302, and amendments thereto, forfeiting such member's  
30 membership in the interim.

31 (d) This act does not apply to members of the Kansas police and  
32 firemen's retirement system, K.S.A. 74-4951 et seq., and amendments  
33 thereto, the retirement system for judges, K.S.A. 20-2601 et seq., and  
34 amendments thereto, and security officers as provided in K.S.A. 74-  
35 4914a, and amendments thereto.

36 (e) *Except as provided in K.S.A. 74-4914(7), and amendments*  
37 *thereto*, a system member may not simultaneously be a member of the  
38 pre-2015 plan and the plan established pursuant to this act. A period  
39 of service may not be credited in more than one retirement plan within  
40 the system.

41 (f) The board of trustees of the Kansas public employees  
42 retirement system shall administer the provisions of this act in the  
43 same manner as the board administers the provisions of K.S.A. 74-

1 4901 et seq., and amendments thereto, except as specifically provided  
2 in this act.

3 (g) Unless specifically provided in this act, the provisions of  
4 K.S.A. 74-4901 et seq., and amendments thereto, shall be applicable to  
5 this act. In an event that a conflict exists between the provisions of this  
6 act and the provisions of K.S.A. 74-4901 et seq., and amendments  
7 thereto, the provisions of this act shall control, and to that end, no  
8 legal or contractual rights shall inure to the benefit of members or  
9 participating employers under this act with regard to the provisions of  
10 K.S.A. 74-4901 et seq., and amendments thereto, when the provisions  
11 of this act control.

12 (h) Each participating employer as provided in this act and each  
13 employee as defined by this act shall be subject to the provisions of  
14 this act as specified in this act and subject to the provisions of K.S.A.  
15 74-4901 et seq., and amendments thereto, as appropriate as to terms,  
16 conditions and requirements not specifically covered in this act. The  
17 provisions of this act shall not apply to members of the Kansas public  
18 employees retirement system as provided in K.S.A. 74-4901 et seq.,  
19 and 74-49,201 et seq., and amendments thereto, first employed by a  
20 participating employer prior to January 1, 2015, unless otherwise  
21 provided in this act.

22 (i) The provisions of this act shall be part of and supplemental to  
23 the provisions of K.S.A. 74-4901 et seq., and amendments thereto,  
24 subject to the limitations contained in this act.

25 ~~Sec.-2:~~ 4. K.S.A. 2014 Supp. 74-4914, 74-4937-~~is~~ and 74-49,301 are  
26 hereby repealed.

27 ~~Sec.-3:~~ 5. This act shall take effect and be in force from and after its  
28 publication in the statute book.