

1 AN ACT relating to the Judicial Form Retirement System.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS 6.500 TO 6.577 IS CREATED TO
4 READ AS FOLLOWS:

5 *Notwithstanding any other provision of KRS 6.500 to 6.577, 16.505 to 16.652, 21.345 to*
6 *21.580, 61.510 to 61.705, 78.510 to 78.852, or 161.220 to 161.716 to the contrary:*

7 *(1) The Legislators' Retirement Plan as provided by KRS 6.500 to 6.577 shall be*
8 *closed to new members effective August 1, 2020. A legislator who has not*
9 *contributed to the Legislators' Retirement Plan prior to August 1, 2020, shall not*
10 *be eligible to participate in the Legislators' Retirement Plan for his or her service*
11 *as a member of the General Assembly but shall instead participate as a*
12 *nonhazardous member of the Kentucky Employees Retirement System as*
13 *provided by KRS 61.510 to 61.705 for the duration of service as a member of the*
14 *General Assembly, except as provided by KRS 61.637 and except that, if upon*
15 *election to office, the legislator is a contributing member of the Kentucky*
16 *Teachers' Retirement System, the legislator may elect to retain membership in the*
17 *Teachers' Retirement System in accordance with subsection (4) of Section 6 of*
18 *this Act in lieu of participating in the Kentucky Employees Retirement System.*

19 *(2) The Judicial Retirement Plan as provided by 21.345 to 21.580 shall be closed to*
20 *new members effective August 1, 2020. A judge or justice who has not*
21 *contributed to the Judicial Retirement Plan prior to August 1, 2020, shall not be*
22 *eligible to participate in the Judicial Retirement Plan for his or her service as a*
23 *judge or justice, but shall instead participate as a nonhazardous member of the*
24 *Kentucky Employees Retirement System as provided by KRS 61.510 to 61.705 for*
25 *the duration of service as a judge or justice, except as provided by KRS 61.637.*

26 *(3) For purposes of this section, "nonhazardous" means the level of benefits*
27 *applicable to employees of the Kentucky Employees Retirement System who do*

1 *not qualify for hazardous duty coverage under KRS 61.592.*

2 ➔Section 2. KRS 6.500 is amended to read as follows:

3 There hereby is created a retirement plan for the members of the General Assembly
4 (hereinafter "legislators") *who take office prior to August 1, 2020.* Each legislator in
5 office on July 1, 1980, and each legislator thereafter taking office *prior to August 1,*
6 *2020,* may acquire membership in the plan in accordance with the provisions of KRS
7 6.505.

8 ➔Section 3. KRS 6.505 is amended to read as follows:

9 (1) (a) Each legislator in office on July 1, 1980, may within thirty (30) days after that
10 date, and any legislator ~~[thereafter]~~ taking office *prior to August 1, 2020,* may
11 within thirty (30) days after the date thereof, elect to make monthly
12 contributions to the Legislators' Retirement Plan, in an amount equal to five
13 percent (5%) of his monthly creditable compensation, as defined in KRS
14 61.510(13), or the amount specified by paragraph (d) of this subsection. The
15 election shall be effective to establish membership in the plan as of July 1,
16 1980, or as of the date from which the thirty (30) day period is measured, as
17 the case may be. Provided, however, that any legislator who was in office on
18 July 1, 1980, and who is in office at the time he makes the election may, after
19 the expiration of the thirty (30) day period and until May 1, 1982, make the
20 election, in which event he shall pay to the Legislators' Retirement Plan, for
21 the months between July 1, 1980, and the date of his election such sum as,
22 when added to any member's contribution by him that is transferred from
23 another retirement system under KRS 6.535, will equal the member's
24 contribution required by this section. If the member makes his election after
25 February 1, 1981, he shall in addition pay to the plan interest on the foregoing
26 sum, at six percent (6%) per annum, calculated as if the sum consisted of
27 equal monthly payments, one (1) of which was due at the end of each month

1 between July 1, 1980, and the date the election was made. The election shall
2 be addressed to and filed with the secretary of the Finance and Administration
3 Cabinet and shall constitute an authorization to the secretary to thereafter
4 cause to be deducted from the member's monthly creditable compensation an
5 amount equal to five percent (5%) thereof, as a voluntarily elected
6 contribution by the member towards the funding of the Legislators' Retirement
7 Plan.

8 (b) 1. For a member who begins participating in the Legislators' Retirement
9 Plan prior to January 1, 2014, the election shall operate to create an
10 inviolable contract between such member and the Commonwealth,
11 guaranteeing to and vesting in the member the rights and benefits
12 provided for under KRS 6.515 to 6.530, except that the General
13 Assembly reserves the right to amend, reduce, or suspend any legislative
14 changes to the provisions of KRS 6.500 to 6.577 that become effective
15 on or after July 1, 2018.

16 2. a. For members who begin participating in the Legislators'
17 Retirement Plan on or after January 1, 2014, the General Assembly
18 reserves the right to amend, suspend, or reduce the benefits and
19 rights provided under KRS 6.500 to 6.577 if, in its judgment, the
20 welfare of the Commonwealth so demands, except that the amount
21 of benefits the member has accrued at the time of amendment,
22 suspension, or reduction shall not be affected.

23 b. For purposes of this subparagraph, the amount of benefits the
24 member has accrued at the time of amendment, suspension, or
25 reduction shall be limited to the accumulated account balance the
26 member has accrued at the time of amendment, suspension, or
27 reduction.

- 1 c. The provisions of this subsection shall not be construed to limit the
2 General Assembly's authority to change any other benefit or right
3 specified by KRS 6.500 to 6.577, for members who begin
4 participating in the Legislators' Retirement Plan on or after January
5 1, 2014, except the benefits specified by subparagraph 2.b. of this
6 paragraph.
- 7 3. The provisions of this paragraph shall not be construed to limit the
8 General Assembly's authority to amend, reduce, or suspend the benefits
9 and rights of members of the Legislators' Retirement Plan as provided by
10 KRS 6.500 to 6.577 that the General Assembly had the authority to
11 amend, reduce, or suspend, prior to July 1, 2013.
- 12 (c) An election once made under this section either to participate or not to
13 participate in the Legislators' Retirement Plan, shall be considered to apply to
14 all future service as a legislator except as provided by KRS 21.374 or
15 21.385(3), whether in the same or a different office as a legislator, and
16 whether or not it is in successive terms.
- 17 (d) Notwithstanding the provisions of this subsection:
- 18 1. A legislator who becomes a member of the Legislators' Retirement Plan
19 on or after September 1, 2008, but prior to January 1, 2014, shall make
20 monthly contributions to the Legislators' Retirement Plan in an amount
21 equal to six percent (6%) of his monthly creditable compensation, as
22 defined in KRS 61.510(13);
- 23 2. A legislator who becomes a member of the Legislators' Retirement Plan
24 on or after January 1, 2014, shall make monthly contributions to the
25 Legislators' Retirement Plan in an amount equal to six percent (6%) of
26 his or her monthly creditable compensation, as defined in KRS
27 61.510(13), of which:

1 credit in the Legislators' Retirement Plan, and shall no longer constitute credit in the
2 Kentucky Employees Retirement System, except for the purpose of validating any
3 other credit in that system if the member pays the difference, if any, between the
4 amount transferred from the Kentucky Employees Retirement System and the
5 actuarial value of the transferred service. However, any credit he then has in the
6 Kentucky Employees Retirement System, earned for service in any capacity other
7 than a legislator, shall not be affected. No person may attain credit in more than one
8 (1) of the retirement plans or systems mentioned in this section for the same period
9 of service. When credit is transferred from the Kentucky Employees Retirement
10 System to the Legislators' Retirement Plan, the Kentucky Employees Retirement
11 System shall transfer to the Legislators' Retirement Fund an amount equal to the
12 employee's and employer's contributions attributable to that credit, together with
13 interest on the contributions from the date made to the date of transfer at the
14 actuarially assumed interest rate of the Kentucky Employees Retirement System in
15 effect at the time the contributions were made, compounded annually at that same
16 interest rate.

17 (4) The state shall, solely for the purpose of compliance with Section 414(h) of the
18 United States Internal Revenue Code, pick up the employee contributions required
19 by this section for all compensation earned after August 1, 1982, and the
20 contributions so picked up shall be treated as employer contributions in determining
21 tax treatment under the United States Internal Revenue Code and KRS 141.010. The
22 picked-up employee contribution shall satisfy all obligations to the retirement
23 system satisfied prior to August 1, 1982, by the employee contribution, and the
24 picked-up employee contribution shall be in lieu of an employee contribution. The
25 state shall pay these picked-up employee contributions from the same source of
26 funds which is used to pay earnings to the employee. The employee shall have no
27 option to receive the contributed amounts directly instead of having them paid by

1 the employer to the system. Employee contributions picked up after August 1, 1982,
2 shall be treated for all purposes of KRS 6.500 to 6.535 in the same manner and to
3 the same extent as employee contributions made prior to August 1, 1982.

4 (5) When any legislator elects membership in the Legislators' Retirement Plan in
5 accordance with this section, his active membership in the Kentucky Employees
6 Retirement System, State Police Retirement System, County Employees Retirement
7 System, or Teachers' Retirement System shall terminate, as of the date his
8 membership in the Legislators' Retirement Plan becomes effective, and any credit in
9 such other system or systems, earned for service as a legislator, which he then has or
10 which he subsequently regains while being an active member of the Legislators'
11 Retirement Plan, shall be transferred to and counted as service credit in the
12 Legislators' Retirement Plan, and shall no longer constitute credit in such other
13 retirement system except for the purpose of validating any other credit in that
14 system. However, any credit he then has in such other retirement system, earned for
15 service in any capacity other than a legislator, shall not be affected. No person may
16 attain credit in more than one (1) of the retirement plans or systems mentioned in
17 this section, for the same period of service.

18 (6) A member of the Legislators' Retirement Plan who would be entitled, under KRS
19 61.552, to repurchase credit in the Kentucky Employees Retirement System, for
20 previous service as a legislator, which credit had been lost by refund of
21 contributions, may pay the amount required by KRS 61.552 directly to the
22 Legislators' Retirement Plan and thereby obtain credit in that plan for such service,
23 rather than making payment to the Kentucky Employees Retirement System for
24 credit which would be transferred to the Legislators' Retirement Plan. In such event,
25 the Kentucky Employees Retirement System shall transfer to the Legislators'
26 Retirement Plan an amount equal to the employer's contributions that originally
27 were made to the Kentucky Employees Retirement System for the regained service

1 credit, with interest as provided in KRS 6.535. Six (6) months' current service shall
2 be required in the Legislators' Retirement Plan in order for the repurchased credit to
3 remain in force, the same as provided in KRS 61.552. Service purchased under this
4 subsection on or after January 1, 2014, shall not be used to determine the member's
5 participation date in the Legislators' Retirement Plan.

6 ➔Section 4. KRS 21.350 is amended to read as follows:

7 (1) Except as provided in subsection (2) of this section, membership in the retirement
8 system established by KRS 21.350 to 21.510 shall consist of, and be confined to,
9 Justices of the Supreme Court, Judges of the Court of Appeals created by Section
10 111 of the Constitution of Kentucky, Circuit Judges, and Judges of the District
11 Court, who have elected to participate prior to August 1, 2020, in accordance with
12 KRS 21.360.

13 (2) Any person who was a member on December 31, 1975, by virtue of holding on that
14 date the office of commissioner of the former Court of Appeals or director of the
15 Administrative Office of the Courts shall continue in membership so long as he
16 continues to render service in any capacity in or for the Court of Justice.

17 (3) The limitation of membership made by this section does not affect rights to benefits
18 based on service rendered before the 1978 amendment to this section took effect.

19 ➔Section 5. KRS 21.360 is amended to read as follows:

20 (1) (a) Each Judge of the District Court in office on July 1, 1978, may within thirty
21 (30) days after that date, and any judge or justice of any court entitled to be a
22 member ~~thereafter~~ taking office prior to August 1, 2020, may within thirty
23 (30) days after taking office, elect to make monthly contributions to the
24 retirement system in an amount equal to:

- 25 1. Five percent (5%) of his or her monthly official salary, if the judge or
26 justice became a member of the Kentucky Judicial Retirement Plan prior
27 to September 1, 2008;

- 1 2. Six percent (6%) of his or her monthly official salary, if the judge or
2 justice became a member of the Kentucky Judicial Retirement Plan on
3 or after September 1, 2008, but prior to January 1, 2014; or
- 4 3. Six percent (6%) of his or her monthly official salary, if the judge or
5 justice who becomes a member of the Kentucky Judicial Retirement
6 Plan on or after January 1, 2014, which shall be used to fund benefits as
7 follows:
- 8 a. Five percent (5%) of the monthly official salary shall be used to
9 provide funding for benefits provided under KRS 21.402; and
- 10 b. One percent (1%) of the monthly official salary to be used
11 exclusively to help fund retiree health benefits as provided by KRS
12 21.427 and which shall not be refunded to the member if the
13 member withdraws his or her accumulated account balance as
14 provided by KRS 21.460. The deducted amounts under this
15 subdivision shall be credited to an account established pursuant to
16 26 U.S.C. sec. 401(h), within the fund established by KRS 21.347.
- 17 (b) The election shall be effective to establish membership in the system as of
18 July 1, 1978, or as of the date the judge or justice took office, as the case may
19 be. The election shall be addressed to and filed with the secretary of the
20 Finance and Administration Cabinet, and shall constitute an authorization by
21 the member, to the secretary, to thereafter cause to be deducted from the
22 member's official salary, each month, the amount required by paragraph (a) of
23 this subsection, as a voluntary contribution by the member towards the
24 funding of the retirement system. For a member who began contributing to the
25 Judicial Retirement Plan prior to January 1, 2014, the contribution shall
26 continue until the judge or justice is vested in a service retirement allowance
27 equal to one hundred percent (100%) of final compensation. Thereafter

1 employee contributions shall be discontinued but continued service and
2 retirement benefits shall not be affected thereby.

3 (2) A judge or justice entitled to elect membership in the retirement system who failed
4 to elect membership within thirty (30) days after taking office in 1980 or who
5 elected membership in the Kentucky Employees Retirement System may elect
6 membership not later than August 31, 2005. An election, upon being made pursuant
7 to this section, shall operate to create an inviolable contract between the member
8 entitled to elect membership under this subsection and the Commonwealth,
9 guaranteeing to and vesting in the member the rights and benefits provided for
10 under the terms and conditions of KRS 21.350 to 21.510, except that the General
11 Assembly reserves the right to amend, reduce, or suspend any legislative changes to
12 the provisions of KRS 21.345 to 21.580 that become effective on or after July 1,
13 2018.

14 (3) (a) When any judge makes a delayed election of membership in the Judicial
15 Retirement Plan under subsection (2) of this section, his active membership in
16 the Kentucky Employees Retirement System shall terminate, as of the date his
17 membership in the Judicial Retirement Plan becomes effective, and any credit
18 in the Kentucky Employees Retirement System, earned for service as a judge,
19 which he then has or which he subsequently regains while being an active
20 member of the Judicial Retirement Plan, shall be transferred to and counted as
21 service credit in the Judicial Retirement Plan, and shall no longer constitute
22 credit in the Kentucky Employees Retirement System, except for the purpose
23 of validating any other credit in that system, if the member pays the
24 difference, if any, between the amount transferred from the Kentucky
25 Employees Retirement System and the actuarial value of the transferred
26 service.

27 (b) Any credit he then has in the Kentucky Employees Retirement System, earned

1 for service in any capacity other than a judge, shall not be affected.
2 Notwithstanding any provisions of KRS 61.680 to the contrary, final
3 compensation used to determine benefits for any service credit remaining in
4 the Kentucky Employees Retirement System shall be based on the highest
5 years of compensation as a judge whether the years occur before or after the
6 judge elects membership in the Judicial Retirement Plan.

7 (c) No person may attain credit in more than one (1) of the retirement plans or
8 systems mentioned in this section for the same period of service. When credit
9 is transferred from the Kentucky Employees Retirement System to the Judicial
10 Retirement Plan, the Kentucky Employees Retirement System shall transfer to
11 the Judicial Retirement Fund an amount equal to the employee's and
12 employer's contributions attributable to that credit, together with interest on
13 the contributions from the date made to the date of transfer at the actuarially-
14 assumed interest rate of the Kentucky Employees Retirement System in effect
15 at the time the contributions were made, compounded annually at that same
16 interest rate.

17 (4) Membership and benefit rights for judges and justices (other than Judges of the
18 District Court), and for the commissioners and administrative director, who took
19 office prior to July 1, 1978, shall be dependent upon valid elections having been
20 made under this section (and KRS 21.355 and 21.365) prior to the 1978 amendment
21 to this section. The terms of such elections, including the contribution rate, shall
22 continue to govern for the duration of the member's service.

23 (5) When any Judge of the District Court in office on July 1, 1978, elects membership
24 in the Judicial Retirement Plan in accordance with this section, his membership in
25 the Kentucky Employees Retirement System shall terminate as of July 1, 1978, and
26 any credit in that system he earned for service as a Judge of the District Court shall
27 be nullified; provided that the effect of such service to validate any other service

1 credit in that system shall not be nullified.

2 (6) The state shall, solely for the purpose of compliance with Section 414(h) of the
3 United States Internal Revenue Code, pick up the employee contributions required
4 by this section for all compensation earned after August 1, 1982, and the
5 contributions so picked up shall be treated as employer contributions in determining
6 tax treatment under the United States Internal Revenue Code and KRS 141.010. The
7 picked-up employee contribution shall satisfy all obligations to the retirement
8 system satisfied prior to August 1, 1982, by the employee contribution, and the
9 picked-up employee contribution shall be in lieu of an employee contribution. The
10 state shall pay these picked-up employee contributions from the same source of
11 funds which is used to pay earnings to the employee. The employee shall have no
12 option to receive the contributed amounts directly instead of having them paid by
13 the employer to the system. Employee contributions picked up after August 1, 1982,
14 shall be treated for all purposes of KRS 21.345 to 21.570 in the same manner and to
15 the same extent as employee contributions made prior to August 1, 1982.

16 (7) An election once made under this section, either to participate or not to participate
17 in the Judicial Retirement Plan, shall be considered to apply, to all future service in
18 any office covered by the plan, except as provided by KRS 21.374 and 21.385(3),
19 whether such service is in the same or a different office, and whether or not it is
20 continuous.

21 ➔Section 6. KRS 61.680 is repealed, reenacted, and amended to read as follows:

22 Except as limited by KRS 6.525, 21.374, or Section 1 of this Act~~[61.5955, or 61.5956]:~~

23 (1) Prior to August 1, 1982, every employee shall be deemed to consent and agree to
24 any deduction from his compensation required by KRS 6.500 to 6.535, 16.505 to
25 16.652, 61.510 to 61.692, 78.510 to 78.852, and to all other provisions thereof.
26 Thereafter, employee contributions shall be picked up by the employer pursuant to
27 KRS 61.560(4).

- 1 (2) (a) Notwithstanding any other provisions of KRS 6.500 to 6.535, 16.505 to
2 16.652, 61.510 to 61.692, 78.510 to 78.852 and 161.220 to 161.714:
- 3 1. Upon death, disability, or service retirement, a member's accounts under
4 the Legislators' Retirement Plan, State Police Retirement System,
5 Kentucky Employees Retirement System, County Employees Retirement
6 System, and Teachers' Retirement System, except for service prohibited
7 by KRS 161.623(2), shall be consolidated for the purpose of determining
8 eligibility and amount of benefits, including those members who
9 participate in the hybrid cash balance plan ~~or 401(a) money purchase~~
10 ~~plans~~ within the Kentucky Employees Retirement System, the County
11 Employees Retirement System, the State Police Retirement System, or
12 the Teachers' Retirement System;
 - 13 2. Vested service credit in a retirement system, other than the Teachers'
14 Retirement System, sponsored by a Kentucky institution of higher
15 education and accepted by the Kentucky Employees Retirement System
16 or the County Employees Retirement System, may be used to determine
17 eligibility for twenty-seven (27) year retirement for an employee who
18 begins participating before September 1, 2008, but not the amount of
19 benefits;
 - 20 3. The computation of benefits shall be based on the applicable formula in
21 each system and service credit in each system, but the final
22 compensation, excluding compensation earned under KRS 161.155(10),
23 shall be determined as if all service were in one (1) system;
 - 24 4. If the member has prior service in more than one (1) system
25 administered by Kentucky Retirement Systems, he shall obtain at least
26 twelve (12) months' current service in each system in which he has prior
27 service in order to validate the prior service in each system for purposes

- 1 of determining consolidated benefits under this subsection; and
- 2 5. Upon the determination of benefits, each system shall pay the applicable
- 3 amount of benefits due the member.
- 4 (b) The provisions of paragraph (a) of this subsection shall be waived if the
- 5 member:
- 6 1. Notifies the system of his desire to maintain separate retirement
- 7 accounts in the State Police Retirement System, Kentucky Employees
- 8 Retirement System, or County Employees Retirement System; or
- 9 2. Fails to simultaneously retire from all state-administered retirement
- 10 systems in which the member has an account or fails to retire from any
- 11 other systems not administered by Kentucky Retirement Systems within
- 12 one (1) month of the member's effective retirement date in the systems
- 13 administered by Kentucky Retirement Systems.
- 14 (c) If the member has not contributed at least one (1) year in a system in which he
- 15 has prior service, his current service in the system shall be valid for purposes
- 16 of determining eligibility and in computation of benefits on a consolidated
- 17 basis.
- 18 (3) (a) A member with service credit in the Kentucky Employees Retirement System,
- 19 State Police Retirement System, or the County Employees Retirement System
- 20 who becomes the holder of an office entitling him to membership in the
- 21 Judicial Retirement Plan or the Legislators' Retirement Plan, but who does not
- 22 elect within thirty (30) days after taking office in such service to participate in
- 23 the plan, in accordance with KRS 6.505 or 21.360, shall be deemed to have
- 24 elected to retain membership in the system in which he is a member, either the
- 25 Kentucky Employees Retirement System, State Police Retirement System, or
- 26 the County Employees Retirement System. In that event, the agency
- 27 employing the member shall withhold employee contributions, or picked-up

1 employee contributions after August 2, 1982, make employer contributions
2 and remit these contributions to the system in which the member retained his
3 membership.

4 (b) Any person entitled to membership in the Judicial Retirement Plan or the
5 Legislators' Retirement Plan, who does not elect within thirty (30) days after
6 taking office to participate in the plan, in accordance with KRS 6.505 or
7 21.360, and who at the time of taking office is not a contributing member of,
8 or does not have service credit in, any of the retirement systems mentioned in
9 this section, or the Teachers' Retirement System, shall participate in the
10 Kentucky Employees Retirement System.

11 (c) A member of one (1) of the state-administered retirement plans who ceases to
12 contribute to the plan as provided in KRS 21.360 and who is employed in a
13 nonelected position by an agency participating in the Kentucky Retirement
14 Systems or Kentucky Teachers' Retirement System shall be deemed to have
15 elected membership in the system in which the employer of the nonelected
16 position participates. A member of one (1) of the state-administered
17 retirement plans who ceases to contribute to the plan as provided in KRS
18 21.360 and who is not employed in a nonelected position by an agency
19 participating in the Kentucky Retirement Systems shall be deemed to have
20 elected membership in the Kentucky Employees Retirement System.

21 (4) (a) Prior to July 1, 1976, a person entering the service of an employer
22 participating in the Kentucky Employees Retirement System or the County
23 Employees Retirement System with service credit in the Teachers' Retirement
24 System and who desires to retain membership in the Teachers' Retirement
25 System, and who is permitted by that system to continue, shall be exempt
26 from participating in the Kentucky Employees Retirement System or the
27 County Employees Retirement System.

- 1 (b) Any person who has elected to retain membership in the Teachers' Retirement
2 System as provided in paragraph (a) of this subsection may cancel his election
3 and participate in the system under which his position would normally
4 participate, if he elects to cancel his option prior to January 1, 1977.
- 5 (c) Any member of the General Assembly who upon election is a contributing
6 member of the Teachers' Retirement System and who does not elect within
7 thirty (30) days after taking office to participate in the Legislators' Retirement
8 Plan, in accordance with KRS 6.505 or is not eligible to participate in the
9 Legislators' Retirement Plan in accordance with Section 1 of this Act, shall
10 during his term of office participate in the Kentucky Employees Retirement
11 System unless an election to retain membership in the Teachers' Retirement
12 System is filed in writing within ninety (90) days after his term of office
13 begins. No contributions may be made to the Teachers' Retirement System for
14 the same period of service under the Legislators' Retirement Plan or the
15 Kentucky Employees Retirement System as a member of the General
16 Assembly, but contributions made to the Teachers' Retirement System while a
17 member of the General Assembly shall be transferred to the Legislators'
18 Retirement Plan, as provided for in KRS 6.535, when the member elects to
19 join the Legislators' Retirement Plan, and service credit in the Legislators'
20 Retirement Plan shall be granted as provided for in KRS 6.505(5).
- 21 (5) Any member of the Kentucky Employees Retirement System or County Employees
22 Retirement System who is working in a position covered by one (1) of these
23 retirement systems and his employee contributions, service credit and employer
24 contributions made on his behalf are being transferred to the other retirement
25 system shall contribute to the system in which his employer participates, or after
26 August 1, 1982, the employer shall pick up the employee contributions, and no
27 further contributions or service credit shall be transferred to the system in which he

1 elected to retain membership, as subsection (2) of this section eliminates the
2 necessity of the transfers.

3 (6) Any member of the Kentucky Employees Retirement System or County Employees
4 Retirement System who is working in more than one (1) position covered by the
5 same retirement system, shall have his wages and contributions consolidated and his
6 retirement account administered as a single account. If part-time positions are
7 involved, an accumulation of all hours worked within the same retirement system
8 shall be used to determine eligibility under KRS 61.510(21).

9 (7) (a) Notwithstanding the provisions of subsection (2) of this section, a person who
10 does not have the amount of service required for service retirement in the
11 State Police Retirement System, Kentucky Employees Retirement System,
12 County Employees Retirement System, Legislators' Retirement Plan, or
13 Teachers' Retirement System, but who is a member of one (1) of the systems
14 or is a former member of one (1) or more of the systems with valid service
15 credit therein, shall become eligible for service retirement benefits attributable
16 to the amount of his actual service credit in each system in which he has
17 service credit when his combined service credit in all the systems, plus any
18 service credit he has in the Judicial Retirement Plan, is equal to that required
19 for service retirement in each respective system. The computation of benefits
20 shall be based on the applicable formula in each system and service credit in
21 each system, except that total service in all systems, unless prohibited by KRS
22 161.623(2), shall be used to determine the reduction for early retirement, if
23 any. Except as provided in KRS 21.360, the final compensation shall be
24 determined by using the creditable compensation reported to the State Police
25 Retirement System, Kentucky Employees Retirement System, County
26 Employees Retirement System, Legislators' Retirement Plan, or Teachers'
27 Retirement System and only as much of the compensation earned in the

1 Judicial Retirement Plan as is needed to satisfy the final compensation
2 requirement applicable in the respective retirement systems.

3 (b) Paragraph (a) of this subsection shall be waived if the member fails to
4 simultaneously retire from all state-administered retirement systems in which
5 the member has an account or fails to retire from any other systems not
6 administered by Kentucky Retirement Systems within one (1) month of the
7 member's effective retirement date in the systems administered by the
8 Kentucky Retirement Systems.

9 (8) Each retirement system from which the member retires shall pay a retirement
10 allowance upon receipt of required forms and documents, except that no retirement
11 system shall pay a retirement allowance or annuity until all forms and documents
12 are filed at all retirement systems in compliance with each system's requirements.