

**SENATE BILL No. 83**

By Committee on Judiciary

2-3

---

1 AN ACT concerning judges and justices; relating to the employment of  
2 retirants; amending K.S.A. 20-2622 and repealing the existing section.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 20-2622 is hereby amended to read as follows: 20-  
6 2622. (a) On and after ~~the effective date of this act~~ July 1, 1995, a retirant  
7 who retires as provided in K.S.A. 20-2608, and amendments thereto, may  
8 return to temporary judicial duties while receiving service retirement  
9 benefits. Upon written agreement with the Kansas supreme court ~~prior to~~  
10 ~~retirement~~, such retirant shall be available to perform assigned judicial  
11 duties for not more than 104 days or 40% of each year. Notwithstanding  
12 the provisions of law in effect on the retirement date of a retirant, such  
13 retirant shall receive a stipend, payable monthly, equal to 25% of the  
14 current monthly salary of judges or justices serving in the same position  
15 as that held by the retirant at the time of retirement. Such agreement shall  
16 be for a period of not more than two years. A retirant may enter into  
17 subsequent agreements, except that the aggregate of these agreements  
18 shall not exceed 12 years. The supreme court is hereby authorized and  
19 may pay on behalf of such retirant the amount specified by the Kansas  
20 state employees health care commission under K.S.A. 75-6508, and  
21 amendments thereto, as if the retirant is serving as a full-time employee  
22 of the judicial branch and participating in the state health care benefits  
23 program to provide for such participation of the retirant. Any retirant  
24 entering into a written agreement with the Kansas supreme court to be  
25 available to perform assigned judicial duties for less than 104 days or  
26 40% of each year for a proportionally reduced stipend shall be considered  
27 as if the retirant is serving under a part-time appointment as an employee  
28 of the judicial branch and participating in the state health care benefits  
29 program to provide for such participation of the employee and the  
30 supreme court may pay on behalf of the retirant the amount specified by  
31 the Kansas state employees health care commission and K.S.A. 75-6508,  
32 and amendments thereto.

33 ~~(b) Within five years after retirement, a retirant who did not enter~~  
34 ~~into an agreement as provided for in subsection (a) prior to retirement~~  
35 ~~may enter into such a written agreement within 30 days prior to any~~  
36 ~~anniversary date of retirement. Agreements shall be signed by the chief~~

1 ~~justice with the approval of a majority of the justices of the Kansas~~  
2 ~~supreme court.~~

3 (e)(b) If a written agreement is entered into pursuant to the  
4 provisions of subsection (a), and notice is received by the chief justice of  
5 the refusal of the retirant to accept a temporary assignment without just  
6 cause, the written agreement shall be terminated.

7 (d)(c) Nothing in this act shall be construed to require a retirant of  
8 the retirement system for judges to enter into an agreement to perform  
9 temporary judicial duties.

10 (e)(d) Nothing in this act shall be construed to limit the supreme  
11 court's ability to make judicial assignments pursuant to the provisions of  
12 K.S.A. 20-310b and 20-2616, and amendments thereto; and the stipend  
13 provided by this act shall not be counted toward the annual limitation on  
14 compensation provided in K.S.A. 20-2616, and amendments thereto.

15 (f)(e) Any retirant who has fulfilled the requirements of an  
16 agreement entered into pursuant to this act may continue to accept  
17 judicial assignments and shall be compensated for such subsequent  
18 assignments in accordance with the provisions of K.S.A. 20-310b and 20-  
19 2616, and amendments thereto.

20 (g)(f) If an assignment given to a retirant in accordance with this act  
21 will require the retirant to exceed the 104 day limitation provided in  
22 subsection (a), the retirant shall be compensated in accordance with the  
23 provisions of K.S.A. 20-2616, and amendments thereto.

24 (h)(g) For purposes of this act, "retirant" shall include any justice of  
25 the Kansas supreme court, judge of the Kansas court of appeals, and  
26 district judge of any district court of Kansas who retired pursuant to the  
27 provisions of the retirement system for judges. Retirant shall not include  
28 any district magistrate judge.

29 Sec. 2. K.S.A. 20-2622 is hereby repealed.

30 Sec. 3. This act shall take effect and be in force from and after its  
31 publication in the statute book.

32  
33