

**74-4994. Same; duplication of service credit or benefits; computation of prior service annual salary and final average salary; calculation of benefits when member of the legislature is special member and member of another system.** (1) No person who becomes a member as provided in this act shall be entitled to a duplication of service credit or benefits under the Kansas public employees retirement system.

(2) If a member of the legislature or former member of the legislature who becomes a member as provided in this act is or becomes a member of the Kansas public employees retirement system by reason of other employment such member or former member's compensation received from all participating employers shall be combined to compute the prior service annual salary and the final average salary as those terms are defined herein and in K.S.A. 74-4902 and amendments thereto in the manner prescribed by the board.

(3) Service credit shall be granted as prescribed in K.S.A. 74-4913 and amendments thereto except that:

(a) No more than one calendar month of prior service credit shall be granted for employment with all employers within any one calendar month of prior service;

(b) no more than one calendar quarter of participating service credit shall be granted for employment with all employers in any one calendar quarter of participating service; and

(c) prior service credit shall be granted for all service as a member of the legislature prior to entry date.

(4) If a member of the legislature or former member of the legislature becomes a member as provided in this act and was also a member of another retirement plan or system authorized by the laws of this state in operation on the entry date such member shall be entitled to all rights and privileges including but not limited to crediting of service and receiving of benefits under such other retirement plan notwithstanding attainment of membership in the Kansas public employees retirement system as provided herein.

(5) After January 14, 1991, if a member of the legislature is or becomes a member of the Kansas public employees retirement system, the retirement system for judges or the Kansas police and firemen's retirement system by reason of other employment, compensation received as a member or special member of the system as a result of service as a member of the legislature shall not be added to or included with compensation from other employment for the purpose of any benefits resulting from service credit under any of the aforementioned systems for service which was not as a member of the legislature. Any amounts deducted and remitted from compensation for such service while also receiving compensation as a member of the legislature shall be refunded to the member or special member. The provisions of this subsection shall not apply to service of a member of the legislature which was not service as a member of the legislature when such service not as a member of the legislature is required or mandated by law for a member or officer of the legislature.

**History:** L. 1973, ch. 329, § 4; L. 1975, ch. 413, § 5; L. 1990, ch. 282, § 21; July 1.