

**74-4998b. Elected state officials; election as special member; termination of election; revocation by special member; definition.** (a) Any elected state official shall become a special member of the Kansas public employees retirement system upon filing with the board an election to become a special member of the system. The election to become a special member shall be made by November 18, 1988, or within 30 days after the elected state official takes the oath of office, whichever is later, except that no election to become a special member shall be made after the effective date of this act. In the event that any such elected state official fails to file the election to become a special member of the retirement system, it shall be presumed that such elected state official has elected not to become a special member. The election to participate shall become effective on the first day of the first payroll period coinciding with or following receipt of the election in the office of the retirement system. The election shall remain in effect until the member ceases to serve as an elected state official or as otherwise provided by law. On or after July 1, 1991, no elected state official shall be a special member for purposes of this act for any service for any payroll period during any term of office which commences after the effective date of this act. Any elected state official who has become a special member as provided in K.S.A. 74-4998b et seq. and amendments thereto may elect to revoke such elected state official's status as a special member by filing with the board an election to revoke such special member status. The election to revoke such elected state official's status as a special member shall become effective on the first day of the first payroll period coinciding with or following receipt of such election in the office of the retirement system. Any service during such period when such elected state official was a special member shall be credited as a member and not as a special member after receipt of such elected state official's election to revoke such special member status in the office of the retirement system. Any contributions made by such elected state official as a result of such elected state official's election to become a special member which exceed the contributions which would have been made by the elected state official as a member and not as a special member shall be returned upon separation of service to such elected state official after receipt of such elected state official's election to revoke such special member status in the office of the retirement system.

(b) As used in this act, "elected state official" means any member of the legislature, or a former member of the legislature, the governor, the lieutenant governor, the secretary of state, the attorney general, the commissioner of insurance and the state treasurer; and any person who formerly served in any such capacity who has 10 or more years of credited service and who has not yet retired or withdrawn such person's accumulated contributions.

**History:** L. 1988, ch. 302, § 20; L. 1991, ch. 238, § 4; L. 1998, ch. 64, § 88; July 1.