

**75-5542. State leave payment reserve fund; payment of compensation for accumulated sick and vacation leave; duties of secretary of administration.** (a) As used in K.S.A. 75-5542 to 75-5545, inclusive, and amendments thereto, "state agency" means the state, or any department or agency of the state, but not including the Kansas turnpike authority, the university of Kansas hospital authority or any political subdivision of the state.

(b) For the purposes of providing for the payment of compensation for accumulated sick and vacation leave on retirement from state service arising on and after July 1, 1994, and for the payment of accumulated hours of sick leave upon being laid off from state service as provided under K.S.A. 75-4371, and amendments thereto, arising on and after July 1, 1996, there is hereby established the state leave payment reserve fund in the state treasury.

(c) The state leave payment reserve fund shall be liable to pay compensation for accumulated sick and vacation leave on retirement from state service arising on and after July 1, 1994, and for the payment of accumulated hours of sick leave upon being laid off from state service as provided under K.S.A. 75-4371, and amendments thereto, arising on and after July 1, 1996. To this end and for the purposes of K.S.A. 75-5542 to 75-5545, inclusive, and K.S.A. 75-4371, and amendments thereto, all state agencies are hereby deemed to be a single employer whose liabilities specified in subsection (b) are hereby imposed upon the state leave payment reserve fund.

(d) The secretary of administration shall administer the state leave payment reserve fund and all payments from such fund shall be upon warrants of the director of accounts and reports issued pursuant to the system of payroll accounting formulated under K.S.A. 75-5501 et seq., and amendments thereto, or pursuant to K.S.A. 75-5540, and amendments thereto. The director of accounts and reports may issue warrants pursuant to vouchers approved by the secretary for payments from the state leave payment reserve fund notwithstanding the fact that claims for such payments were not submitted or processed for payment from money appropriated for the fiscal year in which the state leave payment reserve fund first became liable to make such payments.

(e) The secretary of administration shall remit all moneys received by or for the secretary in the capacity as administrator of the state leave payment reserve fund, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state leave payment reserve fund.

(f) In the computation of accumulated vacation leave, time served as an elected official in an elected position for which vacation leave is not credited shall not be credited to length of service for employees who are appointed to the classified or unclassified service in the executive branch of state government.

**History:** L. 1992, ch. 207, § 1; L. 1994, ch. 176, § 1; L. 1996, ch. 255, § 10; L. 1999, ch. 168, § 2; L. 2001, ch. 5, § 403; July 1.