

HOUSE BILL No. 2448

By Representative Jennings

1-9

Proposed amendment to HB 2448  
House Financial Institutions and Pensions Committee  
February 5, 2018  
Prepared by David Wiese, Office of Revisor of Statutes

1 AN ACT concerning retirement and pensions; relating to the Kansas public  
2 employees retirement system and systems thereunder; affiliation and  
3 membership of the department of corrections in the Kansas police and  
4 firemen's retirement system; employee and employer contributions.  
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) On ~~July 1, 2018~~, the department of corrections shall be  
8 an eligible employer as defined in K.S.A. 74-4952, and amendments  
9 thereto, and shall affiliate on ~~July 1, 2018~~, with the Kansas police and  
10 firemen's retirement system established under K.S.A. 74-4951 et seq., and  
11 amendments thereto.

12 (b) The division of the budget and the governor shall include in the  
13 budget and in the budget request for appropriations for personnel services,  
14 the amount required to satisfy the employer's obligation under this section  
15 as certified by the board of trustees of the system, and shall present the  
16 same to the legislature for allowance and appropriation. Upon affiliation,  
17 the department of corrections shall pay to the system a sum sufficient to  
18 satisfy such obligations as certified by the board.

19 (c) The determination of retirement, death or disability benefits shall  
20 be computed upon the basis of credited service, as used in K.S.A. 74-4951  
21 et seq., and amendments thereto, but shall include only participating  
22 service with the department of corrections, commencing on and after the  
23 effective date of affiliation by the department of corrections with the  
24 Kansas police and firemen's retirement system.

25 (d) Any rights or benefits accruing to any security officer employed  
26 by the department of corrections prior to the effective date of affiliation  
27 shall be determined pursuant to the provisions of K.S.A. 74-4901 et seq.,  
28 and amendments thereto. Any security officer who becomes a member  
29 pursuant to this section, who has a vested retirement benefit pursuant to  
30 K.S.A. 74-4917, and amendments thereto, and who terminates  
31 employment prior to attaining a vested benefit pursuant to K.S.A. 74-4963,  
32 and amendments thereto, may have such service credited for purposes of  
33 computing retirement benefits pursuant to K.S.A. 74-4901 et seq., and  
34 amendments thereto.

35 (e) Every person who is employed as a security officer on or after the  
36 entry date of the department of corrections into the Kansas police and

January 1, 2019

1 firemen's retirement system shall become a member of the Kansas police  
2 and firemen's retirement system.

3 (f) Except as otherwise provided by this act, any security officer  
4 employed by the department of corrections who becomes a member of the  
5 Kansas police and firemen's retirement system shall be subject to all the  
6 provisions of K.S.A. 74-4951 through 74-4970, and amendments thereto.

7 (g) Beginning with the first payment of compensation for services of  
8 a security officer after becoming a member of the Kansas police and  
9 firemen's retirement system, the employer shall deduct from the  
10 compensation of such member 7.15% as the employee contribution to the  
11 system. Such deductions shall be remitted, deposited and credited as  
12 provided in K.S.A. 74-4965, and amendments thereto.

13 (h) As used in this section, "security officer" means any person, as  
14 certified to the board by the secretary of corrections, who is employed on  
15 or after the effective date of this act as an employee of the department of  
16 corrections:

17 (1) Who is in any position in a job class in the corrections officer  
18 class series, including, but not limited to, corrections officer I, corrections  
19 officer II, corrections supervisor I, corrections supervisor II and  
20 corrections supervisor III, or in a position in the corrections counselor I,  
21 corrections counselor II, unit team supervisor or corrections classification  
22 administrator job class, as all such job classes are described on July 1,  
23 2018, in the state job classification plan in effect for the classified service  
24 under the Kansas civil service act or who is in a position in any successor  
25 job class or classes that have been approved under K.S.A. 75-2938, and  
26 amendments thereto, and who have substantially the same duties and  
27 responsibilities thereof;

January 1, 2019

28 (2) who is in any position in a job class in the juvenile services  
29 corrections officer class series, including, but not limited to, corrections  
30 manager I, corrections manager II, corrections manager III, juvenile  
31 corrections officer I (A), juvenile corrections officer I (B), juvenile  
32 corrections officer II, juvenile corrections officer III, special investigator  
33 II, superintendent, training program manager, training technician and unit  
34 team manager, as all such job classes are described on July 1, 2018, in the  
35 state job classification plan in effect for the classified service under the  
36 Kansas civil service act or who is in a position in any successor job class  
37 or classes that have been approved under K.S.A. 75-2938, and  
38 amendments thereto, and who have substantially the same duties and  
39 responsibilities thereof;

January 1, 2019

40 (3) who is promoted prior to or on or after July 1, 2018, from a  
41 position in any job class under paragraph (1) to any position in any job  
42 class of warden or deputy warden of any correctional institution, the job  
43 class of work release supervisor, the job class of training officer,

January 1, 2019

January 1, 2019

1 correctional institutions, or the job class of corrections administrator  
2 security specialist as such job classes are described on July 1, 2018, in the  
3 state job classification plan in effect for the classified service under the  
4 Kansas civil service act or to any successor job class or classes that are  
5 approved under K.S.A. 75-2938, and amendments thereto, and who have  
6 substantially the same duties and responsibilities, if the person was  
7 employed and had at least three consecutive years of service in any one or  
8 more positions in any one or more job classes described in paragraph (1)  
9 immediately preceding promotion to the position in a job class under this  
10 paragraph;

11 (4) who is in any position for which the duties and responsibilities  
12 directly and primarily involve operation of power plant facilities within  
13 any correctional institution or juvenile correctional facility and involve  
14 regular contact with inmates or juvenile offenders;

15 (5) who is in any position for which the duties and responsibilities  
16 directly and primarily involve the operation of the correctional industries  
17 activity of the department of corrections within a correctional institution or  
18 juvenile correctional facility and involve regular contact with inmates or  
19 juvenile offenders;

20 (6) who is in any position for which the duties and responsibilities  
21 directly and primarily involve supervision of food service operations  
22 within any correctional institution or juvenile correctional facility and  
23 involve regular contact with inmates or juvenile offenders; or

24 (7) who is in any position for which the duties and responsibilities  
25 directly and primarily involve supervision of maintenance operations  
26 within any correctional institution or juvenile correctional facility and  
27 involve regular contact with inmates or juvenile offenders.

28 (f) As used in this section, references to the department of corrections  
29 include correctional institutions as defined by K.S.A. 75-5202, and  
30 amendments thereto, and juvenile correctional facilities as defined by  
31 K.S.A. 2017 Supp. 38-2302, and amendments thereto, unless the context  
32 requires otherwise.

33 Sec. 2. This act shall take effect and be in force from and after its  
34 publication in the statute book.