

HOUSE BILL No. 2178

By Committee on General Government Budget

1-31

1 AN ACT concerning state employees; relating to longevity bonus
2 payments; amending K.S.A. 2012 Supp. 75-5541 and repealing the
3 existing section.
4

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

6 Section 1. K.S.A. 2012 Supp. 75-5541 is hereby amended to read as
7 follows: 75-5541. (a) Except as otherwise provided by this section, each
8 classified employee, excluding any such employee who is on temporary
9 appointment, and each nonjudicial employee in the unclassified service
10 under the Kansas civil service act in a state agency in the judicial branch
11 of state government, shall receive a bonus as provided by this section,
12 which shall be referred to as a longevity bonus, under the terms and
13 conditions and subject to the limitations prescribed by this section.

14 (b) After June 30, 1989, any such officer or employee who has been
15 employed by any agency, board or department within any branch of state
16 government, whether or not the entire period of service is continuous with
17 the same agency, board or department, shall be eligible to receive a
18 longevity bonus upon completion of 120 months of state service. Length
19 of service and service anniversary dates shall be determined pursuant to
20 rules and regulations adopted by the secretary of administration.

21 (c) The amount of each longevity bonus payment shall be computed
22 by multiplying \$40 by the number of full years of state service, not to
23 exceed 25 years, rendered by such officer or employee as of the service
24 anniversary date within such fiscal year.

25 (d) Each longevity bonus payment shall be included in the employee's
26 regular pay warrant. The amount of the bonus shall be displayed separately
27 on the warrant stub or advice.

28 (e) Longevity bonus payments shall be compensation, within the
29 meaning of K.S.A. 74-4901 et seq., and amendments thereto, for all
30 purposes under the Kansas public employees retirement system and shall
31 be subject to applicable deductions for employee contributions
32 notwithstanding the fact that payments are made annually. Longevity
33 bonus payments shall be in addition to the regular earnings to which an
34 officer or employee may become entitled or for which such employee may
35 become eligible.

36 (f) The purpose of longevity pay is to recognize permanent

1 employees who have provided experience and faithful long-term service to
2 the state of Kansas in order to encourage officers and employees to remain
3 in the service of the state. The provisions of this section shall apply to
4 fiscal years commencing after June 30, 1989. The amendatory language of
5 this section shall be construed to confirm that longevity pay is intended,
6 and has been intended since its enactment, to be a bonus as defined in 29
7 C.F.R. § 778.208.

8 (g) In accordance with the provisions of K.S.A. 75-3706, and
9 amendments thereto, the secretary of administration shall adopt rules and
10 regulations to implement the provisions of this section with respect to
11 officers and employees in the executive branch of state government. The
12 supreme court may adopt policies to implement the provisions of this
13 section with respect to officers and employees who are nonjudicial
14 personnel of state agencies in the judicial branch of state government.

15 (h) The provisions of this section shall not apply to any state officer
16 or employee who is employed or re-employed as a state officer or
17 employee on or after June 15, 2008.

18 (i) *Officers and employees in the executive branch and judicial*
19 *branch of state government who are eligible to receive a longevity bonus*
20 *shall receive such bonus in any fiscal year if moneys are appropriated for*
21 *such fiscal year and provision for such bonus is made by the legislature in*
22 *an appropriations act.*

23 Sec. 2. K.S.A. 2012 Supp. 75-5541 is hereby repealed.

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