

HOUSE BILL No. 2448

By Representative Jennings

1-9

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

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;

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;

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,

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 (i) 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.