

## 2018 Kansas Statutes

**72-26,124. Same; continuation as supplemental systems and membership in state retirement system; procedure and rights.** The members of any retirement system of any board of education operating under any of the provisions of K.S.A. 72-1726 to 72-1734, both sections inclusive, or K.S.A. 72-1780 to 72-17,107, both sections inclusive, (not including members previously retired) and who are school employees as said term is defined in K.S.A. 72-5501 or any amendments thereto, shall become members of the state school retirement system in the manner and subject to the conditions prescribed by K.S.A. 72-5501 or any amendments thereto on September 1st following: (a) The presentation of a petition signed by not less than fifty-one percent (51%) of members of such retirement systems, exclusive of members who have retired, requesting membership in the state school retirement system and requesting continuation of the retirement system of the board of education as a supplemental retirement system in accordance with the provisions of this act, and (b) passage of a resolution by the board of education providing for the continuation of its retirement system as a supplemental retirement system in accordance with the provisions of this act.

The sufficiency of the petition shall be determined by the board of education, and upon the filing of such petition and passage of a resolution as provided above, the clerk of the board shall certify to the state school retirement board that such petition has been presented and such resolution has been adopted. The board of education shall contribute to the state school retirement system from the retirement fund of the board of education the amounts required by subsection (d) of K.S.A. 72-5501 to enable the members of its retirement system to become eligible for membership in the state school retirement system: Provided, That in the event any member of the retirement system of the board of education who becomes a member of the state school retirement system shall be retired before continuing in service under said state school retirement system for a year, and is thereby ineligible to receive any annuity from the state school retirement system, the amount contributed by the board of education to the state school retirement fund for the benefit of such member shall be repaid to the board of education and placed in its supplemental retirement fund. School employees of the board of education who are not members of its retirement system may, if otherwise eligible, elect to become members of the state school retirement system, and shall be entitled to service credit in the state school retirement system in accordance with the provisions thereof.

*History:* L. 1953, ch. 328, § 2; Apr. 8.