

## 2021 Kansas Statutes

**72-26,116. Same; abolishment and membership in state school retirement system; procedure and rights.**

The members of a separate retirement system operated under the provisions of K.S.A. 72-1788 to 72-1796, inclusive, (not including members previously retired) shall become members of the state school retirement system in the manner and subject to the conditions prescribed by K.S.A. 72-5501 on September 1st following (a) the presentation of a petition signed by fifty-one percent (51%) of such members requesting the abolishment of the separate retirement system, and (b) the passage of a resolution by the board abolishing the separate retirement system and establishing a supplemental retirement system in accordance with the provisions of this act: Provided, That the separate retirement system shall remain in effect for previously retired members and members who retire before becoming eligible for benefits under the state school retirement system, until all obligations and annuities to such retired members have been paid. The sufficiency of the petition shall be determined by the board, and upon the filing thereof and the passage of the resolution as above provided, the clerk of the board shall certify to the state school retirement board that such petition has been presented and such resolution adopted.

The board shall contribute to the state school retirement system from the retirement fund of the separate retirement system the amounts prescribed by subsection (d) of K.S.A. 72-5501 to enable the members of its separate retirement system to become eligible for membership in the state school retirement system: Provided, That in the event any member of the separate retirement system who becomes a member of the state school retirement system shall retire before continuing in service under said state 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 said board and placed in the separate retirement fund of said board. School employees of the board who are not members of the separate 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. 1951, ch. 409, § 2; June 30.