

SENATE BILL No. 83

By Committee on Judiciary

2-3

1 AN ACT concerning judges and justices; relating to the employment of
2 retirants; amending K.S.A. 20-2622 and repealing the existing section.

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

5 Section 1. K.S.A. 20-2622 is hereby amended to read as follows: 20-
6 2622. (a) On and after ~~the effective date of this act~~ July 1, 1995, a retirant
7 who retires as provided in K.S.A. 20-2608, and amendments thereto, may
8 return to temporary judicial duties while receiving service retirement
9 benefits. Upon written agreement with the Kansas supreme court ~~prior to~~
10 ~~retirement~~, such retirant shall be available to perform assigned judicial
11 duties for not more than 104 days or 40% of each year. Notwithstanding
12 the provisions of law in effect on the retirement date of a retirant, such
13 retirant shall receive a stipend, payable monthly, equal to 25% of the
14 current monthly salary of judges or justices serving in the same position
15 as that held by the retirant at the time of retirement. Such agreement shall
16 be for a period of not more than two years. A retirant may enter into
17 subsequent agreements, except that the aggregate of these agreements
18 shall not exceed 12 years. The supreme court is hereby authorized and
19 may pay on behalf of such retirant the amount specified by the Kansas
20 state employees health care commission under K.S.A. 75-6508, and
21 amendments thereto, as if the retirant is serving as a full-time employee
22 of the judicial branch and participating in the state health care benefits
23 program to provide for such participation of the retirant. Any retirant
24 entering into a written agreement with the Kansas supreme court to be
25 available to perform assigned judicial duties for less than 104 days or
26 40% of each year for a proportionally reduced stipend shall be considered
27 as if the retirant is serving under a part-time appointment as an employee
28 of the judicial branch and participating in the state health care benefits
29 program to provide for such participation of the employee and the
30 supreme court may pay on behalf of the retirant the amount specified by
31 the Kansas state employees health care commission and K.S.A. 75-6508,
32 and amendments thereto.

33 ~~(b) Within five years after retirement, a retirant who did not enter~~
34 ~~into an agreement as provided for in subsection (a) prior to retirement~~
35 ~~may enter into such a written agreement within 30 days prior to any~~
36 ~~anniversary date of retirement. Agreements shall be signed by the chief~~

1 ~~justice with the approval of a majority of the justices of the Kansas~~
2 ~~supreme court.~~

3 (e)(b) If a written agreement is entered into pursuant to the
4 provisions of subsection (a), and notice is received by the chief justice of
5 the refusal of the retirant to accept a temporary assignment without just
6 cause, the written agreement shall be terminated.

7 (d)(c) Nothing in this act shall be construed to require a retirant of
8 the retirement system for judges to enter into an agreement to perform
9 temporary judicial duties.

10 (e)(d) Nothing in this act shall be construed to limit the supreme
11 court's ability to make judicial assignments pursuant to the provisions of
12 K.S.A. 20-310b and 20-2616, and amendments thereto; and the stipend
13 provided by this act shall not be counted toward the annual limitation on
14 compensation provided in K.S.A. 20-2616, and amendments thereto.

15 (f)(e) Any retirant who has fulfilled the requirements of an
16 agreement entered into pursuant to this act may continue to accept
17 judicial assignments and shall be compensated for such subsequent
18 assignments in accordance with the provisions of K.S.A. 20-310b and 20-
19 2616, and amendments thereto.

20 (g)(f) If an assignment given to a retirant in accordance with this act
21 will require the retirant to exceed the 104 day limitation provided in
22 subsection (a), the retirant shall be compensated in accordance with the
23 provisions of K.S.A. 20-2616, and amendments thereto.

24 (h)(g) For purposes of this act, "retirant" shall include any justice of
25 the Kansas supreme court, judge of the Kansas court of appeals, and
26 district judge of any district court of Kansas who retired pursuant to the
27 provisions of the retirement system for judges. Retirant shall not include
28 any district magistrate judge.

29 Sec. 2. K.S.A. 20-2622 is hereby repealed.

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

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