

PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1609

(Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 38-727, Arizona Revised Statutes, is amended to
3 read:

4 **38-727. Eligibility; options**

5 The following provisions apply to all employees hired on or after the
6 effective date:

7 1. All employees and officers of this state and all officers and
8 employees of political subdivisions establishing a retirement plan
9 administered by the board pursuant to this article who as a result of state
10 service or service for the political subdivision are included in agreements
11 providing for their coverage under the federal old age and survivors
12 insurance system are subject to this article, except that membership is not
13 mandatory:

14 (a) On the part of any employee who is eligible and who elects to
15 participate in the optional retirement programs established by the Arizona
16 board of regents pursuant to the authority conferred by section 15-1628 or by
17 a community college district board pursuant to authority conferred by section
18 15-1451.

19 (b) For a state elected official who is subject to term limits, who is
20 eligible for participation in ASRS because the state elected official elected
21 not to participate in the elected officials' retirement plan as provided in
22 section 38-804, subsection A and who elects not to participate in ASRS as
23 provided in paragraph 7 of this section.

24 (c) On the part of any employee or officer who is eligible to
25 participate and who participates in the elected officials' retirement plan

1 pursuant to article 3 of this chapter, the public safety personnel retirement
2 system pursuant to article 4 of this chapter or the corrections officer
3 retirement plan pursuant to article 6 of this chapter.

4 2. All employees and officers of political subdivisions whose
5 compensation is provided wholly or in part from state monies and who are
6 declared to be state employees and officers by the legislature for retirement
7 purposes are subject, on legislative enactment, to this article and are
8 members of ASRS.

9 3. Any member whose service terminates other than by death or
10 withdrawal from membership is deemed to be a member of ASRS until the
11 member's death benefit is paid.

12 4. Employees and officers shall not become members of ASRS and, if
13 they are members immediately before becoming employed as provided by this
14 section, shall have their membership status suspended while they are employed
15 by state departments paying the salaries of their officers and employees
16 wholly or in part from monies received from sources other than appropriations
17 from the state general fund for the period or periods payment of the employer
18 contributions is not made by or on behalf of the departments.

19 5. Notwithstanding other provisions of this section, a temporary
20 employee of the legislature whose projected term of employment is for not
21 more than six months is ineligible for membership in ASRS. If the employment
22 continues beyond six successive months, the employee may elect to either:

23 (a) Receive credit for service for the first six months of employment
24 and establish membership in ASRS as of the beginning of the current term of
25 employment if, within forty-five days after the first six months of
26 employment, both the employer and the employee contribute to ASRS the amount
27 that would have been required to be contributed to ASRS during the first six
28 months of employment as if the employee had been a member of ASRS during
29 those six months.

30 (b) Establish membership in ASRS as of the day following the
31 completion of six months of employment.

1 6. A person who is employed in postgraduate training in an approved
2 medical residency training program of an employer or a postdoctoral scholar
3 who is employed by a university under the jurisdiction of the Arizona board
4 of regents is ineligible for membership in ASRS.

5 7. A state elected official who is subject to term limits and who is
6 eligible for participation in ASRS because the state elected official elected
7 not to participate in the elected officials' retirement plan as provided in
8 section 38-804, subsection A may elect not to participate in ASRS. The
9 election not to participate is specific for that term of office. The state
10 elected official who is subject to term limits shall make the election in
11 writing and file the election with ASRS within thirty days after the elected
12 official's retirement plan mails the notice to the state elected official of
13 the state elected official's eligibility to participate in ASRS. The
14 election is effective on the first day of the state elected official's
15 eligibility. If a state elected official who is subject to term limits fails
16 to make an election as provided in this paragraph, the state elected official
17 is deemed to have elected to participate in ASRS. The election not to
18 participate in ASRS is irrevocable and constitutes a waiver of all benefits
19 provided by ASRS for the state elected official's entire term, except for any
20 benefits accrued by the state elected official in ASRS for periods of
21 participation ~~prior to~~ BEFORE being elected to an office subject to term
22 limits or any benefits expressly provided by law.

23 8. EVERY FULL-TIME SUPERIOR COURT COMMISSIONER WHO IS APPOINTED ON OR
24 AFTER JULY 1 OF THE FIRST FISCAL YEAR AFTER THE SOCIAL SECURITY
25 ADMINISTRATION APPROVES THE INCLUSION OF SUPERIOR COURT COMMISSIONERS ON THIS
26 STATE'S SECTION 218 AGREEMENT IS A MEMBER OF ASRS AND IS SUBJECT TO THIS
27 ARTICLE."

28 Renumber to conform

29 Page 2, line 32, strike the comma insert ".

30 (d)"

Senate Amendments to S.B. 1609

- 1 Page 2, line 33, strike the comma insert ".
2 (e)"; after the first "court" insert a period; strike "and" insert:
3 "(f)"
- 4 Line 34, after "commissioner" insert "WHO IS A MEMBER OF THE PLAN BEFORE JULY 1
5 OF THE FIRST FISCAL YEAR AFTER THE SOCIAL SECURITY ADMINISTRATION APPROVES
6 THE INCLUSION OF SUPERIOR COURT COMMISSIONERS ON THIS STATE'S SECTION 218
7 AGREEMENT"
- 8 Line 37, strike "(d)" insert "(g)"
- 9 Line 39, strike "(e)" insert "(h)"
- 10 Line 42, strike "(f)" insert "(i)"
- 11 Amend title to conform

STEVE YARBROUGH

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