

ASSEMBLY BILL NO. 592—COMMITTEE ON JUDICIARY
(ON BEHALF OF ADMINISTRATIVE OFFICE OF THE COURTS)

MARCH 17, 1999

Referred to Committee on Judiciary

SUMMARY—Revises formula for calculation of pensions of justices of supreme court and district court judges. (BDR 1-848)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to the judiciary; revising the formula for the calculation of the pensions of the justices of the supreme court and district court judges; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 2.060 is hereby amended to read as follows:
2 2.060 1. Any justice of the supreme court who has served as a justice
3 or judge of a district court in any one or more of those courts for a period
4 or periods aggregating 22 years and has ended such service is, after
5 reaching the age of 60 years, entitled to receive annually from the State of
6 Nevada, as a pension during the remainder of his life, a sum of money
7 equal in amount to three-fourths the sum received as a salary for his
8 judicial services during the last year thereof, payable every 2 weeks from
9 money provided by direct legislative appropriation.
10 2. Any justice of the supreme court who has served as a justice or
11 judge of a district court in any one or more of those courts for a period or
12 periods aggregating ~~15 years~~ ***1 year*** and has ended such service is, after
13 reaching the age of 60 years, entitled to receive annually from the State of
14 Nevada, as a pension during the remainder of his life, a sum of money
15 equal in amount to ~~4.1666~~ ***3.4091*** percent of the sum received as a salary
16 for his judicial services during ~~the last year thereof,~~ ***that year***, payable
17 every 2 weeks from money provided by direct legislative appropriation.

1 3. Any justice of the supreme court who qualifies for a pension under
2 the provisions of subsection 2 is entitled to receive, for each year served
3 beyond ~~[5 years]~~ **1 year** up to a maximum of 22 years, an additional
4 ~~[4.1666]~~ **3.4091** percent of the sum received as a salary for his judicial
5 services during the last year thereof, payable as provided in subsection 2.

6 4. Any justice **of the supreme court** who has retired pursuant to
7 subsection 3 and is thereafter recalled to additional active service in the
8 court system is entitled to receive credit toward accumulating 22 years'
9 service for the maximum pension based upon the time he actually spends
10 in the additional active service.

11 5. Any justice **of the supreme court** who has the years of service
12 necessary to retire but has not attained the required age may retire at any
13 age with a benefit actuarially reduced to the required retirement age. A
14 **retirement** benefit under this subsection must be reduced in the same
15 manner as benefits are reduced for persons retired under the public
16 employees' retirement system.

17 6. Any person receiving a pension pursuant to the provisions of this
18 section is entitled to receive post-retirement increases equal to those
19 provided for persons retired under the public employees' retirement
20 system.

21 7. Any justice **of the supreme court** who desires to receive the benefits
22 of this section must file with the state controller and the state treasurer an
23 affidavit setting forth the fact that he is ending his service, the date and
24 place of his birth, and the years he has served in any district court or the
25 supreme court.

26 8. Upon such notice and filing of the affidavit, the state controller shall
27 draw his warrant, payable to the justice who has thus ended his service,
28 upon the state treasurer for the sum due to him, and the state treasurer shall
29 pay the sum out of money provided by direct legislative appropriation.

30 9. The faith of the State of Nevada is hereby pledged that this section
31 shall not be repealed or amended so as to affect any justice **of the supreme**
32 **court** who may have ended his service pursuant to it.

33 **Sec. 2.** NRS 3.090 is hereby amended to read as follows:

34 3.090 1. Any judge of the district court who has served as a justice
35 of the supreme court or judge of a district court in any one or more of
36 those courts for a period or periods aggregating 22 years and has ended
37 such service is, after reaching the age of 60 years, entitled to receive
38 annually from the State of Nevada, as a pension during the remainder of
39 his life, a sum of money equal in amount to three-fourths the sum received
40 as a salary for his judicial services during the last year thereof, payable
41 every 2 weeks from money provided by direct legislative appropriation.

42 2. Any judge of the district court who has served as a justice of the
43 supreme court or judge of a district court in any one or more of those

1 courts for a period or periods aggregating ~~{5-years}~~ **1 year** and has ended
2 such service is, after reaching the age of 60 years, entitled to receive
3 annually from the State of Nevada, as a pension during the remainder of
4 his life, a sum of money equal in amount to ~~{4.1666}~~ **3.4091** percent of the
5 sum received as a salary for his judicial services during ~~{the last year~~
6 ~~thereof,}~~ **that year**, payable every 2 weeks from money provided by direct
7 legislative appropriation.

8 3. Any judge of the district court who qualifies for a pension under the
9 provisions of subsection 2 is entitled to receive, for each year served
10 beyond ~~{5-years}~~ **1 year** up to a maximum of 22 years, an additional
11 ~~{4.1666}~~ **3.4091** percent of the sum received as a salary for his judicial
12 services during the last year thereof, payable as provided in subsection 2.

13 4. Any judge **of the district court** who has retired pursuant to
14 subsection 3 and is thereafter recalled to additional active service in the
15 court system is entitled to receive credit toward accumulating 22 years'
16 service for the maximum pension based upon the time he actually spends
17 in the additional active service.

18 5. Any ~~{district}~~ judge **of the district court** who has the years of
19 service necessary to retire but has not attained the required age may retire
20 at any age with a benefit actuarially reduced to the required retirement age.
21 A retirement benefit under this subsection must be reduced in the same
22 manner as benefits are reduced for persons retired under the public
23 employees' retirement system.

24 6. Any person receiving a pension pursuant to the provisions of this
25 section is entitled to receive post-retirement increases equal to those
26 provided for persons retired in the public employees' retirement system.

27 7. Any judge of the district court who desires to receive the benefits of
28 this section must file with the state controller and the state treasurer an
29 affidavit setting forth the fact that he is ending his service, the date and
30 place of his birth, and the years he has served in any district court or the
31 supreme court.

32 8. Upon such notice and filing of the affidavit, the state controller shall
33 draw his warrant, payable to the judge who has thus ended his service,
34 upon the state treasurer for the sum due to him, and the state treasurer shall
35 pay the sum out of money provided by direct legislative appropriation.

36 9. The faith of the State of Nevada is hereby pledged that this section
37 shall not be repealed or amended so as to affect any judge of the district
38 court who may have ended his service pursuant to it.

39 **Sec. 3.** This act becomes effective on July 1, 1999.