

Assembly Bill No. 622–Committee on Judiciary

CHAPTER.....

AN ACT relating to the judiciary; increasing the benefits provided to the surviving spouses of justices of the supreme court and district judges; making an appropriation; and providing other matters properly relating thereto.

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

Section 1. NRS 2.070 is hereby amended to read as follows:

2.070 1. If a justice of the supreme court at the time of his death had retired and was then receiving a pension under the provisions of NRS 2.060, or if at the time of his death the justice had not retired but had performed sufficient service for retirement under the provisions of NRS 2.060, the surviving spouse, if the spouse has attained the age of 60 years, is entitled, until his death or remarriage, to receive monthly payments of ~~[\$2,000]~~ \$2,500 per month.

2. If a surviving spouse of a justice is not eligible to receive benefits pursuant to subsection 1, he is entitled, until his death or remarriage or until he becomes eligible to receive those benefits, to receive payments equal in amount to the payment provided in subsection 1 of NRS 286.674 for the spouse of a deceased member of the public employees' retirement system.

3. To obtain these benefits, the surviving spouse must make application to the board, commission or authority entrusted with the administration of the judges' pensions and furnish such information as may be required pursuant to reasonable regulations adopted for the purpose of carrying out the intent of this section.

4. Any person receiving a benefit pursuant to the provisions of this section is entitled to receive post-retirement increases equal to those provided for persons retired under the public employees' retirement system.

5. It is the intent of this section that no special fund be created for the purpose of paying these benefits, and all payments made under the provisions of this section are to be made out of and charged to any fund created for the purpose of paying pension benefits to justices of the supreme court.

Sec. 2. NRS 3.095 is hereby amended to read as follows:

3.095 1. If a district judge at the time of his death had retired and was then receiving a pension under the provisions of NRS 3.090, or if at the time of his death the judge had not retired but had performed sufficient service for retirement under the provisions of NRS 3.090, the surviving spouse, if the spouse has attained the age of 60 years, is entitled, until his death or remarriage, to receive monthly payments of ~~[\$2,000]~~ \$2,500 per month.

2. If a surviving spouse of a judge is not eligible to receive benefits pursuant to subsection 1, he is entitled, until his death or remarriage or until he becomes eligible to receive those benefits, to receive payments equal in amount to the payment provided in subsection 1 of NRS 286.674 for the spouse of a deceased member of the public employees' retirement system.

3. To obtain these benefits, the surviving spouse must make application to the board, commission or authority entrusted with the administration of the judges' pensions and furnish such information as may be required pursuant to reasonable regulations adopted for the purpose of carrying out the intent of this section.

4. Any person receiving a benefit pursuant to the provisions of this section is entitled to receive post-retirement increases equal to those provided for persons retired under the public employees' retirement system.

5. It is the intent of this section that no special fund be created for the purpose of paying these benefits, and all payments made under the provisions of this section are to be made out of and charged to any fund created for the purpose of paying pension benefits to district judges.

Sec. 3. 1. There is hereby appropriated from the state general fund to the supreme court for the support of the pensions of justices, judges and surviving spouses:

For the fiscal year 1999-2000.....\$73,109

For the fiscal year 2000-2001.....\$73,109

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 4. The amendatory provisions of this act, which provide for certain increases in the benefits of surviving spouses of justices of the supreme court and district judges, apply only to payments of benefits made on or after July 1, 1999.

Sec. 5. This act becomes effective on July 1, 1999.

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