

ASSEMBLY BILL NO. 622—COMMITTEE ON JUDICIARY
(ON BEHALF OF ADMINISTRATIVE OFFICE OF THE COURTS)

MARCH 19, 1999

Referred to Concurrent Committees on Judiciary
and Ways and Means

SUMMARY—Increases benefits for surviving spouses of justices of supreme court and district judges. (BDR 1-841)

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

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

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:

- 1 **Section 1.** NRS 2.070 is hereby amended to read as follows:
2 2.070 1. If a justice of the supreme court at the time of his death had
3 retired and was then receiving a pension under the provisions of NRS
4 2.060, or if at the time of his death the justice had not retired but had
5 performed sufficient service for retirement under the provisions of NRS
6 2.060, the surviving spouse, if the spouse has attained the age of 60 years,
7 is entitled, until his death or remarriage, to receive monthly payments of
8 ~~[\$2,000]~~ ***\$2,500*** per month.
9 2. If a surviving spouse of a justice is not eligible to receive benefits
10 pursuant to subsection 1, he is entitled, until his death or remarriage or until
11 he becomes eligible to receive those benefits, to receive payments equal in
12 amount to the payment provided in subsection 1 of NRS 286.674 for the
13 spouse of a deceased member of the public employees' retirement system.
14 3. To obtain these benefits, the surviving spouse must make application
15 to the board, commission or authority entrusted with the administration of
16 the judges' pensions and furnish such information as may be required

1 pursuant to reasonable regulations adopted for the purpose of carrying out
2 the intent of this section.

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

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

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

12 3.095 1. If a district judge at the time of his death had retired and was
13 then receiving a pension under the provisions of NRS 3.090, or if at the
14 time of his death the judge had not retired but had performed sufficient
15 service for retirement under the provisions of NRS 3.090, the surviving
16 spouse, if the spouse has attained the age of 60 years, is entitled, until his
17 death or remarriage, to receive monthly payments of ~~12,000~~ \$2,500 per
18 month.

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

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

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

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

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

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

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

41 2. Any balance of the sums appropriated by subsection 1 remaining at
42 the end of the respective fiscal years must not be committed for expenditure

1 after June 30 of the respective fiscal years and reverts to the state general
2 fund as soon as all payments of money committed have been made.

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

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

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