

Assembly Bill No. 477–Committee on Ways and Means

CHAPTER.....

AN ACT relating to the Public Employees’ Retirement System; revising provisions relating to the administration of the System; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, the Public Employees’ Retirement System is required to establish rules and regulations for transacting its business and for administering the System, subject to any limitations imposed by existing law. Such rules are required to include rules relating to the administration of retirement plans in accordance with federal law. (NRS 286.200) To ensure compliance with federal tax law, this bill eliminates references to the 1991 versions of several sections of the Internal Revenue Code. Thus, the current versions of those Internal Revenue Code provisions would apply where referenced in relation to the administration of the System.

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

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

Section 1. NRS 286.533 is hereby amended to read as follows:

286.533 Notwithstanding any other provision of law, every distribution to a member must be made pursuant to the provisions of section 401(a)(9) of the Internal Revenue Code , ~~{ 26 U.S.C. § 401(a)(9) , } , *as that section existed on July 5, 1991,*~~ that apply to governmental plans.

Sec. 2. NRS 286.539 is hereby amended to read as follows:

286.539 Forfeitures must not be applied to increase the benefits any member would otherwise receive pursuant to the provisions governing the System as provided by section 401(a)(8) of the Internal Revenue Code , ~~{ 26 U.S.C. § 401(a)(8) . } , *as that section existed on July 5, 1991.*~~

Sec. 3. NRS 218C.520 is hereby amended to read as follows:

218C.520 Notwithstanding any other provision of law, every distribution to a member of the Legislators’ Retirement System must be made pursuant to the provisions of section 401(a)(9) of the Internal Revenue Code , ~~{ 26 U.S.C. § 401(a)(9) , } , *as that section existed on July 5, 1991,*~~ that apply to governmental plans.

Sec. 4. NRS 218C.530 is hereby amended to read as follows:

218C.530 Notwithstanding any other provision of law, the amount of compensation used to determine the retirement benefit of a member of the Legislators’ Retirement System must not exceed the limitation provided by section 401(a)(17) of the Internal



Revenue Code , ~~{ 26 U.S.C. § 401(a)(17) . } , as that section existed on July 5, 1991.~~

Sec. 5. NRS 218C.560 is hereby amended to read as follows:
218C.560 Forfeitures must not be applied to increase the benefits any member would otherwise receive pursuant to the provisions governing the Legislators' Retirement System as provided by section 401(a)(8) of the Internal Revenue Code , ~~{ 26 U.S.C. § 401(a)(8) . } , as that section existed on July 5, 1991.~~

Sec. 6. This act becomes effective on July 1, 2011.

