

Amendment No. 720

Senate Amendment to Assembly Bill No. 312 First Reprint (BDR 23-975)

Proposed by: Senate Committee on Government Affairs**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

EGO/BJE



Date: 5/18/2015

A.B. No. 312—Revises provisions governing the Public Employees' Retirement System. (BDR 23-975)



ASSEMBLY BILL NO. 312—ASSEMBLYMEN TROWBRIDGE, MOORE; DICKMAN,
DOOLING, JONES, O'NEILL, SEAMAN AND SHELTON

MARCH 16, 2015

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the Public Employees' Retirement System. (BDR 23-975)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

AN ACT relating to the Public Employees' Retirement System; revising provisions governing the calculation of the average compensation of a person who becomes a member of the System on or after July 1, ~~2016;~~ 2015; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that for a person who becomes a member of the Public Employees' Retirement System on or after January 1, 2010, the member's monthly service retirement allowance must be determined by multiplying the member's average compensation by 2.5 percent for each year of service earned. With certain limitations, the determination of the member's average compensation is based on an average of the member's 36 consecutive months of highest compensation. (NRS 286.551) **Section 2** of this bill provides that for a person who becomes a member of the System on or after July 1, ~~2016;~~ 2015, the determination of the member's average compensation must be based on an average of the member's 60 consecutive months of highest compensation.

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

Section 1. (Deleted by amendment.)

Sec. 2. NRS 286.551 is hereby amended to read as follows:

286.551 Except as otherwise required as a result of NRS 286.535 or 286.537:

1. Except as otherwise provided in subsection 2:

(a) For a member who has an effective date of membership before January 1, 2010, a monthly service retirement allowance must be determined by multiplying a member's average compensation by 2.5 percent for each year of service earned before July 1, 2001, and 2.67 percent for each year of service earned on or after July 1, 2001.

(b) For a member who has an effective date of membership on or after January 1, 2010, a monthly service retirement allowance must be determined by multiplying a member's average compensation by 2.5 percent for each year of service earned.

2. A member:

(a) Who has an effective date of membership on or after July 1, 1985, is entitled to a benefit of not more than 75 percent of the member's average compensation with the member's eligibility for service credit ceasing at 30 years of service.

(b) Who has an effective date of membership before July 1, 1985, and retires on or after July 1, 1977, is entitled to a benefit of not more than 90 percent of the member's average compensation with the member's eligibility for service credit ceasing at 36 years of service.

➤ In no case may the service retirement allowance determined pursuant to this section be less than the allowance to which the retired employee would have been entitled pursuant to the provisions of this section which were in effect on the day before July 3, 1991.

3. For the purposes of this section, except as otherwise provided in subsections 4, 5 and 6, "average compensation" means :

(a) For a member who has an effective date of membership before July 1, ~~2016~~ 2015, the average of ~~the~~ the member's 36 consecutive months of highest compensation as certified by the public employer.

(b) For a member who has an effective date of membership on or after July 1, ~~2016~~ 2015, the average of the member's 60 consecutive months of highest compensation as certified by the public employer.

4. Except as otherwise provided in subsection 5, for an employee who becomes a member of the System on or after January 1, 2010, the following limits must be observed when calculating the member's average compensation based on a 60-month period that commences 24 months immediately preceding the 36 consecutive months of highest compensation:

(a) The compensation for the 13th through the 24th months may not exceed the actual compensation amount for the 1st through the 12th months by more than 10 percent;

(b) The compensation for the 25th through the 36th months may not exceed by more than 10 percent the lesser of:

(1) The maximum compensation amount allowed pursuant to paragraph (a); or

(2) The actual compensation amount for the 13th through the 24th months;

(c) The compensation for the 37th through the 48th months may not exceed by more than 10 percent the lesser of:

(1) The maximum compensation amount allowed pursuant to paragraph (b); or

(2) The actual compensation amount for the 25th through the 36th months;

and

(d) The compensation for the 49th through the 60th months may not exceed by more than 10 percent the lesser of:

(1) The maximum average compensation amount allowed pursuant to paragraph (c); or

(2) The actual compensation amount for the 37th through the 48th months.

5. Compensation attributable to a promotion and assignment-related compensation must be excluded when calculating the limits pursuant to subsection 4.

6. The average compensation of a member who has a break in service or partial months of compensation, or both, as a result of service as a Legislator during a regular or special session of the Nevada Legislature must be calculated on the basis of the average of the member's 36 consecutive months of highest compensation as certified by the member's public employer excluding each month

1 during any part of which the Legislature was in session. This subsection does not
2 affect the computation of years of service.

3 7. The retirement allowance for a regular part-time employee must be
4 computed from the salary which the employee would have received as a full-time
5 employee if it results in greater benefits for the employee. A regular part-time
6 employee is a person who works half-time or more, but less than full-time;

7 (a) According to the regular schedule established by the employer for the
8 employee's position; and

9 (b) Pursuant to an established agreement between the employer and the
10 employee.

11 **Sec. 3.** This act becomes effective on July 1, ~~2016,~~ 2015.