

SENATE BILL NO. 406—SENATOR ROBERSON

MARCH 17, 2015

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to public retirement systems. (BDR 23-1049)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: 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 public retirement systems; providing that certain members of public retirement systems who are convicted of or plead guilty or nolo contendere to certain felonies forfeit, with limited exceptions, all rights and benefits under the relevant system; amending the amount of postretirement increases for persons who become members of public retirement systems on or after July 1, 2015; providing an additional benefit option for a surviving spouse or survivor beneficiary of a police officer or firefighter killed in the line of duty or other member killed in the course of employment, judicial service or legislative service on or after July 1, 2013; amending the age of eligibility to receive retirement benefits for persons, other than police officers or firefighters, who become members of the Public Employees' Retirement System or Judicial Retirement Plan on or after July 1, 2015; revising provisions relating to the calculation of the years of service of certain members of the Public Employees' Retirement System, the Judicial Retirement Plan and the Legislators' Retirement System; providing, with limited exceptions, that the purchase of service credit cannot be used to reduce the number of years of service a member of each respective retirement system must earn to retire with an unreduced benefit; limiting the amount of compensation that may be used to determine retirement benefits for persons who become members of public retirement systems on or after July 1, 2015; revising the formula for calculating retirement allowances for persons who become members of certain public retirement systems on or after July 1, 2015; clarifying that the term "spouse" includes a domestic partner for purposes of eligibility for survivor benefits from a public retirement system; removing the expiration date of certain provisions relating to retired public employees who fill positions for which there are critical labor shortages; and providing other matters properly relating thereto.



* S B 4 0 6 R 2 *

Legislative Counsel's Digest:

Retired public employees receive retirement allowances through membership in and contributions to the Public Employees' Retirement System. (Chapter 286 of NRS) With certain exceptions, retired justices of the Supreme Court, judges of the Court of Appeals, district judges, justices of the peace and municipal judges receive retirement allowances through membership in and contributions to the Judicial Retirement Plan. (Chapter 1A of NRS) With certain exceptions, Legislators receive retirement allowances through membership in and contributions to the Legislators' Retirement System. (Chapter 218C of NRS) This bill makes a number of changes to these public retirement systems.

Sections 2, 17 and 26 of this bill provide that if a person becomes a member of the Public Employees' Retirement System, Judicial Retirement Plan or Legislators' Retirement System, respectively, on or after July 1, 2015, and that member is convicted of or pleads guilty or nolo contendere to certain felonies, the member forfeits, with limited exceptions, all rights and benefits under the relevant retirement system.

Existing law provides for postretirement increases for members of the Public Employees' Retirement System, Judicial Retirement Plan and Legislators' Retirement System. (NRS 1A.240, 286.571, 218C.510) **Section 3** of this bill reduces the postretirement increases for retirees who become members of the retirement systems on or after July 1, 2015.

Existing law sets forth several benefit options for surviving spouses of deceased members of the Public Employees' Retirement System, the Judicial Retirement Plan and the Legislators' Retirement System. (NRS 1A.590-1A.610, 218C.580, 286.674-286.676) Existing law also sets forth several benefit options for survivor beneficiaries of deceased members of the Public Employees' Retirement System, the Judicial Retirement Plan and the Legislators' Retirement System if a member is unmarried on the date of the member's death. (NRS 1A.620-1A.650, 218C.580, 286.6767-286.6769) **Sections 4, 16 and 27** of this bill provide an additional benefit option for the spouse of a member who is killed in the line of duty, the course of employment, the course of judicial service or the course of legislative service, as applicable, on or after July 1, 2013. This additional option authorizes the surviving spouse to receive a benefit that is equivalent to the greater of: (1) fifty percent of the salary of the member on the date of the member's death; or (2) one hundred percent of the retirement allowance that the member was eligible to receive based on the member's years of service obtained before the member's death without any reduction for age for the deceased member. **Sections 4.5, 16.5 and 27.5** of this bill provide that this additional benefit option is available to a survivor beneficiary if the deceased member is unmarried on the date of the member's death. **Section 29.7** of this bill provides a method for the spouse or survivor beneficiary of a member who was killed in the line of duty, the course of employment, the course of judicial service or the course of legislative service during the period beginning on July 1, 2013, and ending on June 30, 2015, to select the additional benefit option set forth in **section 4, 4.5, 16, 16.5, 27 or 27.5**, as applicable.

Under existing law, a person who becomes a member of the Public Employees' Retirement System on or after January 1, 2010, other than a police officer or firefighter, is eligible to retire at 65 years of age if he or she has at least 5 years of service, at 62 years of age if he or she has at least 10 years of service and at any age if he or she has at least 30 years of service. (NRS 286.510) **Section 5** of this bill provides that a person who becomes a member of the System on or after July 1, 2015, other than a police officer or firefighter, is eligible to retire at 65 years of age if he or she has at least 5 years of service, at 62 years of age if he or she has at least 10 years of service, at 55 years of age if he or she has at least 30 years of service, and at any age if he or she has at least 33 1/3 years of service. **Section 20** of this bill makes the eligibility requirements for retirement relating to age and service



consistent between public employees and justices of the Supreme Court, judges of the Court of Appeals, district judges, justices of the peace and municipal judges.

Sections 5, 20 and 28 of this bill provide, respectively, that for a member of the Public Employees' Retirement System, Judicial Retirement Plan or Legislators' Retirement System, the calculation of the member's years of service for the purpose of determining the age at which the member may retire with an unreduced benefit must not include any year or part of a year of service credit purchased by the member or, in certain circumstances, on behalf of the member. **Sections 5, 20 and 28** provide a limited exception if the member has a family medical emergency.

Under existing law, the amount of a member's monthly retirement benefit is based on the member's compensation while employed, subject to certain limitations. (NRS 1A.390, 1A.400, 1A.410, 286.535, 286.537, 286.551, 218C.520, 218C.530) **Sections 6, 21 and 29** of this bill limit the amount of compensation used to determine the retirement benefit of a person who becomes a member of a public retirement system on or after July 1, 2015, to \$200,000, plus certain adjustments based on changes in the Consumer Price Index.

Under existing law, the monthly retirement allowance for a person who became a member of the Public Employees' Retirement System on or after January 1, 2010, is calculated by multiplying a member's average compensation, over the member's 36 consecutive months of highest compensation, by 2.5 percent for every year of service earned. (NRS 286.551) **Section 7** of this bill provides that the monthly retirement allowance for each person who has an effective date of membership on or after July 1, 2015, other than a police officer or firefighter, will be determined by multiplying the member's average compensation by 2.25 percent for every year of service with the member's eligibility for service credit ceasing at 33 1/3 years of service.

Under existing law, members of the Judicial Retirement Plan do not pay contributions into the Plan. (NRS 1A.180) **Section 15** of this bill requires members of the Plan who have an effective date of membership on or after July 1, 2015, to pay 50 percent of the required contributions to the Plan.

Under existing law, the monthly retirement allowance for a member of the Judicial Retirement Plan is calculated by multiplying a member's average compensation, over the member's 36 consecutive months of highest compensation, by 3.4091 percent for every year of service earned. (NRS 1A.440) **Section 22** of this bill provides that the monthly retirement allowance for each person who has an effective date of membership on or after July 1, 2015, will be determined by multiplying the member's average compensation by 3.1591 percent for every year of service.

Sections 10, 14, 24 and 27 of this bill clarify that the term "spouse" includes a domestic partner for purposes of determining eligibility to receive survivor benefits from a public retirement system.

Existing law provides that a retired public employee who accepts employment or an independent contract with a public employer under the Public Employees' Retirement System is disqualified under certain circumstances from receiving allowances under the System for the duration of that employment or contract. (NRS 286.520) Existing law also provides an exception to this disqualification if the retired public employee fills a position for which there is a critical labor shortage. (NRS 286.523) This exception is scheduled to expire on June 30, 2015. (Chapter 346, Statutes of Nevada 2009, p. 1550) **Sections 29.6 and 29.8** of this bill remove the expiration date of this exception.



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

1 **Section 1.** Chapter 286 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 4.5, inclusive, of this
3 act.

4 **Sec. 2. 1.** *Except as otherwise provided in subsections 2*
5 *and 3, a member who is convicted of or pleads guilty or nolo*
6 *contendere to any felony involving:*

7 (a) *Accepting or giving, or offering to give, any bribe;*

8 (b) *Embezzlement of public money;*

9 (c) *Extortion or theft of public money;*

10 (d) *Perjury; or*

11 (e) *Conspiracy to commit any crime set forth in paragraphs (a)*
12 *to (d), inclusive,*

13 *➡ and arising directly out of his or her duties as an employee,*
14 *forfeits all rights and benefits under the System.*

15 2. *Upon a conviction described in subsection 1, the System*
16 *must return to the member, without interest, all contributions*
17 *which the member has made and which were credited to the*
18 *member's individual account.*

19 3. *The provisions of subsections 1 and 2 apply only to persons*
20 *who become members of the System on or after July 1, 2015.*

21 **Sec. 3. 1.** *For a person who retires and who has an*
22 *effective date of membership on or after July 1, 2015, allowances*
23 *or benefits must be increased once each year on the first day of the*
24 *month immediately following the anniversary date the person*
25 *began receiving the allowance or benefit:*

26 (a) *By 2 percent following the 3rd, 4th and 5th anniversaries*
27 *of the commencement of benefits.*

28 (b) *By 2.5 percent following the 6th, 7th and 8th anniversaries*
29 *of the commencement of benefits.*

30 (c) *By the lesser of 3 percent or the increase, if any, in the*
31 *Consumer Price Index (All Items) published by the United States*
32 *Department of Labor for the preceding calendar year following*
33 *the 9th anniversary of the commencement of benefits and each*
34 *year thereafter.*

35 2. *The base from which the increase provided by this section*
36 *must be calculated is the allowance or benefit in effect on the day*
37 *before the increase becomes effective.*

38 **Sec. 4. 1.** *The spouse of a member who is a police officer or*
39 *firefighter killed in the line of duty on or after July 1, 2013, or the*
40 *spouse of any other member killed in the course of employment on*
41 *or after July 1, 2013, is entitled to receive a monthly allowance*
42 *equivalent to the greater of:*



(a) Fifty percent of the salary of the member on the date of the member's death; or

(b) One hundred percent of the retirement allowance that the member was eligible to receive based on the member's years of service obtained before the member's death without any reduction for age for the deceased member.

2. The benefits provided by this section must be paid to the spouse for the remainder of the spouse's life.

3. The spouse may elect to receive the benefits provided by any one of the following only:

(a) This section;

(b) NRS 286.674;

(c) NRS 286.676;

(d) NRS 286.6765; or

(e) NRS 286.6766.

4. For the purposes of this section, the Board shall define by regulation "killed in the line of duty" and "killed in the course of employment."

Sec. 4.5. 1. Except as otherwise provided in subsection 2, the survivor beneficiary of a member who is a police officer or firefighter killed in the line of duty on or after July 1, 2013, or the survivor beneficiary of any other member killed in the course of employment on or after July 1, 2013, is entitled to receive a monthly allowance equivalent to the greater of:

(a) Fifty percent of the salary of the member on the date of the member's death; or

(b) One hundred percent of the retirement allowance that the member was eligible to receive based on the member's years of service obtained before the member's death without any reduction for age for the deceased member.

2. If the member had designated one or more payees in addition to the survivor beneficiary pursuant to NRS 286.6767, the monthly allowance to which a survivor beneficiary is entitled pursuant to subsection 1 must be divided between the survivor beneficiary and any additional payees in the proportion designated by the member pursuant to NRS 286.6767.

3. The benefits provided by this section must be paid to the survivor beneficiary for the remainder of the survivor beneficiary's life.

4. The survivor beneficiary may elect to receive the benefits provided by any one of the following only:

(a) This section;

(b) NRS 286.67675;

(c) NRS 286.6768;

(d) NRS 286.67685; or



(e) *NRS 286.6769.*

5. *For the purposes of this section, the Board shall define by regulation “killed in the line of duty” and “killed in the course of employment.”*

6. *As used in this section, “survivor beneficiary” means a person designated pursuant to NRS 286.6767.*

Sec. 5. NRS 286.510 is hereby amended to read as follows:

286.510 1. Except as otherwise provided in subsections 2 and 3, a member of the System:

(a) Who has an effective date of membership before January 1, 2010, is eligible to retire at age 65 if the member has at least 5 years of service, at age 60 if the member has at least 10 years of service and at any age if the member has at least 30 years of service.

(b) Who has an effective date of membership on or after January 1, 2010, *and before July 1, 2015*, is eligible to retire at age 65 if the member has at least 5 years of service, at age 62 if the member has at least 10 years of service and at any age if the member has at least 30 years of service.

(c) *Who has an effective date of membership on or after July 1, 2015, is eligible to retire at age 65 if the member has at least 5 years of service, at age 62 if the member has at least 10 years of service, at age 55 if the member has at least 30 years of service and at any age if the member has at least 33 1/3 years of service. For the purposes of this paragraph, any year or part of a year of service purchased by a member pursuant to subsection 2 or 3 of NRS 286.300 or purchased on behalf of the member pursuant to subsection 4 of NRS 286.300 or as authorized by NRS 286.3005 and subsections 1 and 2 of NRS 286.3007 must not be considered in determining the number of years of service of a member unless the member has a family medical emergency. For the purposes of this paragraph, the Board shall define by regulation “family medical emergency” and set forth by regulation the circumstances in which purchased service credit may be considered in determining the number of years of service of a member who has a family medical emergency.*

2. A police officer or firefighter:

(a) Who has an effective date of membership before January 1, 2010, is eligible to retire at age 65 if the police officer or firefighter has at least 5 years of service, at age 55 if the police officer or firefighter has at least 10 years of service, at age 50 if the police officer or firefighter has at least 20 years of service and at any age if the police officer or firefighter has at least 25 years of service.

(b) Who has an effective date of membership on or after January 1, 2010, *and before July 1, 2015*, is eligible to retire at age 65 if the police officer or firefighter has at least 5 years of service, at



age 60 if the police officer or firefighter has at least 10 years of service and at age 50 if the police officer or firefighter has at least 20 years of service.

(c) Who has an effective date of membership on or after July 1, 2015, is eligible to retire at age 65 if the police officer or firefighter has at least 5 years of service, at age 60 if the police officer or firefighter has at least 10 years of service and at age 50 if the police officer or firefighter has at least 20 years of service.

For the purposes of this paragraph, any year or part of a year of service purchased by a police officer or firefighter pursuant to subsection 2 or 3 of NRS 286.300 or subsection 7 of NRS 286.367 or purchased on behalf of the police officer or firefighter as authorized by NRS 286.3005 and subsections 1 and 2 of NRS 286.3007 must not be considered in determining the number of years of service of a police officer or firefighter unless the police officer or firefighter has a family medical emergency. For the purposes of this paragraph, the Board shall define by regulation "family medical emergency" and set forth by regulation the circumstances in which purchased service credit may be considered in determining the number of years of service of a police officer or firefighter who has a family medical emergency.

➡ Only service performed in a position as a police officer or firefighter, established as such by statute or regulation, service performed pursuant to subsection 3 and credit for military service, may be counted toward eligibility for retirement pursuant to this subsection.

3. Except as otherwise provided in subsection 4, a police officer or firefighter who has at least 5 years of service as a police officer or firefighter and is otherwise eligible to apply for disability retirement pursuant to NRS 286.620 because of an injury arising out of and in the course of the police officer's or firefighter's employment remains eligible for retirement pursuant to subsection 2 if:

(a) The police officer or firefighter applies to the Board for disability retirement and the Board approves the police officer's or firefighter's application;

(b) In lieu of a disability retirement allowance, the police officer or firefighter accepts another position with the public employer with which the police officer or firefighter was employed when the police officer or firefighter became disabled as soon as practicable but not later than 90 days after the Board approves the police officer's or firefighter's application for disability retirement;

(c) The police officer or firefighter remains continuously employed by that public employer until the police officer or



1 firefighter becomes eligible for retirement pursuant to subsection 2;
2 and

3 (d) After the police officer or firefighter accepts a position
4 pursuant to paragraph (b), the police officer's or firefighter's
5 contributions are paid at the rate that is actuarially determined for
6 police officers and firefighters until the police officer or firefighter
7 becomes eligible for retirement pursuant to subsection 2.

8 4. If a police officer or firefighter who accepted another
9 position with the public employer with which the police officer or
10 firefighter was employed when the police officer or firefighter
11 became disabled pursuant to subsection 3 ceases to work for that
12 public employer before becoming eligible to retire pursuant to
13 subsection 2, the police officer or firefighter may begin to receive a
14 disability retirement allowance without further approval by the
15 Board by notifying the Board on a form prescribed by the Board.

16 5. Eligibility for retirement, as provided in this section, does
17 not require the member to have been a participant in the System at
18 the beginning of the police officer's or firefighter's credited service.

19 6. Any member who has the years of creditable service
20 necessary to retire but has not attained the required age, if any, may
21 retire at any age with a benefit actuarially reduced to the required
22 retirement age. Except as otherwise required as a result of NRS
23 286.537, a retirement benefit pursuant to this subsection must be
24 reduced:

25 (a) If the member has an effective date of membership before
26 January 1, 2010, by 4 percent of the unmodified benefit for each full
27 year that the member is under the appropriate retirement age, and an
28 additional 0.33 percent for each additional month that the member is
29 under the appropriate retirement age.

30 (b) If the member has an effective date of membership on or
31 after January 1, 2010, by 6 percent of the unmodified benefit for
32 each full year that the member is under the appropriate retirement
33 age, and an additional 0.5 percent for each additional month that the
34 member is under the appropriate retirement age.

35 ➤ Any option selected pursuant to this subsection must be reduced
36 by an amount proportionate to the reduction provided in this
37 subsection for the unmodified benefit. The Board may adjust the
38 actuarial reduction based upon an experience study of the System
39 and recommendation by the actuary.

40 **Sec. 6.** NRS 286.535 is hereby amended to read as follows:

41 286.535 Notwithstanding any other provision of law, the
42 amount of compensation used to determine the retirement benefit of
43 a member of the System must not exceed:

44 1. For persons who first became members of the System before
45 July 1, 1996, the limitation provided by section 401(a)(17) of the



1 Internal Revenue Code (26 U.S.C. § 401(a)(17)), as that section
2 existed on July 1, 1993.

3 2. For persons who first became members of the System on or
4 after July 1, 1996, *and before July 1, 2015*, the limitation provided
5 by section 401(a)(17) of the Internal Revenue Code (26 U.S.C. §
6 401(a)(17)), as that section existed on July 1, 1996.

7 *3. For persons who first became members of the System on or*
8 *after July 1, 2015, the lesser of:*

9 *(a) The limitation provided by section 401(a)(17) of the*
10 *Internal Revenue Code (26 U.S.C. § 401(a)(17)), as that section*
11 *existed on July 1, 2015; or*

12 *(b) Two hundred thousand dollars. The limitation set forth in*
13 *this paragraph must be adjusted by the Board every year by an*
14 *amount equal to the average percentage increase in the Consumer*
15 *Price Index (All Items) for the immediately preceding 3-year*
16 *period.*

17 **Sec. 7.** NRS 286.551 is hereby amended to read as follows:
18 286.551 Except as otherwise required as a result of NRS
19 286.535 or 286.537:

20 1. Except as otherwise provided in subsection 2:

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

27 (b) *For a member who is a police officer or firefighter and*
28 *who has an effective date of membership on or after January 1,*
29 *2010, a monthly service retirement allowance must be determined*
30 *by multiplying the member's average compensation by 2.5 percent*
31 *for each year of service earned.*

32 (c) For a member who *is not a police officer or firefighter and*
33 *who* has an effective date of membership on or after January 1,
34 2010, *and before July 1, 2015*, a monthly service retirement
35 allowance must be determined by multiplying ~~the~~ the member's
36 average compensation by 2.5 percent for each year of service
37 earned.

38 (d) *For a member who is not a police officer or firefighter and*
39 *who has an effective date of membership on or after July 1, 2015,*
40 *a monthly service retirement allowance must be determined by*
41 *multiplying the member's average compensation by 2.25 percent*
42 *for each year of service earned.*

43 2. A member:

44 (a) *Who is not a police officer or firefighter and who has an*
45 *effective date of membership on or after July 1, 2015, 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 33 1/3 years of service.

(b) Who is not a police officer or firefighter and who has an effective date of membership on or after July 1, 1985, and before July 1, 2015, 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)]~~ (c) Who is a police officer or firefighter and 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.

(d) 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 the average of a member's 36 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 during any part of which the Legislature was in session. This subsection does not affect the computation of years of service.

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

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

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

Sec. 8. NRS 286.571 is hereby amended to read as follows:

286.571 1. Except as otherwise provided in subsection 2, for a person who retires and who has an effective date of membership on or after January 1, 2010, *and before July 1, 2015*, allowances or benefits must be increased once each year on the first day of the month immediately following the anniversary of the date the person began receiving the allowance or benefit, by the lesser of:

(a) Two percent following the 3rd anniversary of the commencement of benefits, 3 percent following the 6th anniversary of the commencement of benefits, 3.5 percent following the 9th anniversary of the commencement of benefits, 4 percent following the 12th anniversary of the commencement of benefits and each year thereafter; or



(b) The average percentage of increase in the Consumer Price Index (All Items) for the 3 preceding years, unless a different index is substituted by the Board.

2. In any event, the allowance or benefit of a member must be increased by the percentages set forth in paragraph (a) of subsection 1 if the allowance or benefit of a member has not increased at a rate greater than or equal to the average of the Consumer Price Index (All Items), unless a different index is substituted by the Board, for the period between the date of the member's retirement and the date specified in subsection 1.

3. The Board may use a different index for the calculation made pursuant to paragraph (b) of subsection 1 if:

(a) The substituted index is compiled and published by the United States Department of Labor; and

(b) The Board determines that the substituted index represents a more accurate measurement of the cost of living for retired employees.

4. The base from which the increase provided by this section must be calculated is the allowance or benefit in effect on the day before the increase becomes effective.

Sec. 9. NRS 286.5756 is hereby amended to read as follows:

286.5756 1. ~~[A]~~ *Except as otherwise provided in NRS 286.571 and section 3 of this act, a* person is entitled to the increase provided in this section if the person began receiving an allowance or benefit:

(a) Before September 1, 1983, and has received the allowance or benefit for at least 6 continuous months in the 12 months preceding the effective date of the increase; or

(b) At least 3 years before the increase.

2. Except as otherwise provided in subsection 3, allowances or benefits increase once each year on the first day of the month immediately following the anniversary of the date the person began receiving the allowance or benefit, by the lesser of:

(a) Two percent following the 3rd anniversary of the commencement of benefits, 3 percent following the 6th anniversary of the commencement of benefits, 3.5 percent following the 9th anniversary of the commencement of benefits, 4 percent following the 12th anniversary of the commencement of benefits and 5 percent following the 14th anniversary of the commencement of benefits; or

(b) The average percentage of increase in the Consumer Price Index (All Items) for the 3 preceding years, unless a different index is substituted by the Board.

3. In any event, the allowance or benefit of a member must be increased by the percentages set forth in paragraph (a) of subsection 2 if the allowance or benefit of a member has not increased at a rate



greater than or equal to the average of the Consumer Price Index (All Items), unless a different index is substituted by the Board, for the period between the date of the member's retirement and the date specified in subsection 2.

4. The Board may use a different index for the calculation made pursuant to paragraph (b) of subsection 2 if:

(a) The substituted index is compiled and published by the United States Department of Labor; and

(b) The Board determines that the substituted index represents a more accurate measurement of the cost of living for retired employees.

5. The base from which the increase provided by this section must be calculated is the allowance or benefit in effect on the day before the increase becomes effective.

Sec. 10. NRS 286.671 is hereby amended to read as follows:

286.671 As used in NRS 286.671 to 286.679, inclusive **[H]**, *and sections 4 and 4.5 of this act:*

1. "Child" means an unmarried person under 18 years of age who is the issue or legally adopted child of a deceased member. As used in this subsection, "issue" means the progeny or biological offspring of the deceased member.

2. "Dependent parent" means the surviving parent of a deceased member who was dependent upon the deceased member for at least 50 percent of the surviving parent's support for at least 6 months immediately preceding the death of the deceased member.

3. *"Domestic partner" means a person who is in a domestic partnership that is registered pursuant to chapter 122A of NRS, and that has not been terminated pursuant to that chapter.*

4. "Spouse" means the surviving husband or wife *or domestic partner* of a deceased member.

Sec. 11. NRS 286.672 is hereby amended to read as follows:

286.672 1. Except as otherwise provided in subsection 3 **[H]** *and sections 4 and 4.5 of this act*, if a deceased member had 2 years of accredited contributing service in the 2 1/2 years immediately preceding the member's death or was a regular, part-time employee who had 2 or more years of creditable contributing service before and at least 1 day of contributing service within 6 months immediately preceding the member's death, or if the employee had 10 or more years of accredited contributing service, certain of the deceased member's dependents are eligible for payments as provided in NRS 286.671 to 286.679, inclusive **[H]**, *and sections 4 and 4.5 of this act*. If the death of the member resulted from a mental or physical condition which required the member to leave the employ of a participating public employer or go on leave without pay, eligibility pursuant to the provisions of this section



1 extends for 18 months after the member's termination or
2 commencement of leave without pay.

3 2. If the death of a member occurs while the member is on
4 leave of absence granted by the member's employer for further
5 training and if the member met the requirements of subsection 1 at
6 the time the member's leave began, certain of the deceased
7 member's dependents are eligible for payments as provided in
8 subsection 1.

9 3. If the death of a member is caused by an occupational
10 disease or an accident arising out of and in the course of the
11 member's employment, no prior contributing service is required to
12 make the deceased member's dependents eligible for payments
13 pursuant to NRS 286.671 to 286.679, inclusive, *and sections 4 and*
14 *4.5 of this act*, except that this subsection does not apply to an
15 accident occurring while the member is traveling between the
16 member's home and the member's principal place of employment or
17 to an accident or occupational disease arising out of employment for
18 which no contribution is made.

19 4. As used in this section, "dependent" includes a survivor
20 beneficiary designated pursuant to NRS 286.6767.

21 **Sec. 12.** NRS 286.679 is hereby amended to read as follows:

22 286.679 1. If payments to a beneficiary pursuant to NRS
23 286.671 to 286.679, inclusive, *and sections 4 and 4.5 of this act*,
24 cease before the total contributions of a deceased member have been
25 paid in benefits, and there is no person entitled to receive such
26 benefits pursuant to any provision of this chapter, the surplus of
27 such contributions over the benefits actually received may be paid in
28 a lump sum to:

29 (a) The beneficiary whom the deceased member designated for
30 this purpose in writing on a form approved by the System.

31 (b) If no such designation was made or the person designated is
32 deceased, the beneficiary who previously received the payments.

33 (c) If no payment may be made pursuant to paragraphs (a) and
34 (b), the persons entitled as heirs or residuary legatees to the estate of
35 the deceased member.

36 2. A lump-sum payment made pursuant to this section fully
37 discharges the obligations of the System.

38 **Sec. 13.** Chapter 1A of NRS is hereby amended by adding
39 thereto the provisions set forth as sections 14 to 17, inclusive, of this
40 act.

41 **Sec. 14.** *"Domestic partner" means a person who is in a*
42 *domestic partnership which is registered pursuant to chapter 122A*
43 *of NRS and which has not been terminated pursuant to that*
44 *chapter.*



Sec. 15. *For members of the Judicial Retirement Plan who have an effective date of membership on or after July 1, 2015:*

1. A member must pay 50 percent of the total contribution rate that is actuarially determined for members of the Judicial Retirement Plan pursuant to NRS 1A.180.

2. The amount described in subsection 1 must be deducted from each payroll during the period of the member's membership in the Judicial Retirement Plan and transmitted to the Board at intervals designated and upon forms prescribed by the Board. The contributions must be paid on compensation earned by a member from the member's first day of service.

3. The Judicial Retirement Plan shall guarantee to each member the return of at least the total contributions which the member has made and which were credited to the member's individual account. These contributions may be returned to the member, the member's estate or beneficiary or a combination thereof in monthly benefits, a lump-sum refund or both. The relevant provisions of NRS 286.430 apply to a member of the Judicial Retirement Plan who withdraws his or her contributions to the Plan pursuant to this section.

Sec. 16. *1. The spouse of a member killed in the course of judicial service on or after July 1, 2013, is entitled to receive a monthly allowance equivalent to the greater of:*

(a) Fifty percent of the salary of the member on the date of the member's death; or

(b) One hundred percent of the retirement allowance that the member was eligible to receive based on the member's years of service obtained before the member's death without any reduction for age for the deceased member.

2. The benefits provided by this section must be paid to the spouse for the remainder of the spouse's life.

3. The spouse may elect to receive the benefits by any one of the following only:

(a) This section;

(b) NRS 1A.590;

(c) NRS 1A.600; or

(d) NRS 1A.610.

4. For the purposes of this section, the Board shall define by regulation "killed in the course of judicial service."

Sec. 16.5. *1. Except as otherwise provided in subsection 2, the survivor beneficiary of a member of the Judicial Retirement Plan killed in the course of judicial service on or after July 1, 2013, is entitled to receive a monthly allowance equivalent to the greater of:*



(a) Fifty percent of the salary of the member on the date of the member's death; or

(b) One hundred percent of the retirement allowance that the member was eligible to receive based on the member's years of service obtained before the member's death without any reduction for age for the deceased member.

2. If the member had designated one or more payees in addition to the survivor beneficiary pursuant to NRS 1A.620, the monthly allowance to which a survivor beneficiary is entitled pursuant to subsection 1 must be divided between the survivor beneficiary and any additional payees in the proportion designated by the member pursuant to NRS 1A.620.

3. The benefits provided by this section must be paid to the survivor beneficiary for the remainder of the beneficiary's life.

4. The survivor beneficiary may elect to receive the benefits provided by any one of the following only:

(a) This section;

(b) NRS 1A.630;

(c) NRS 1A.640; or

(d) NRS 1A.650.

5. For the purposes of this section, the Board shall define by regulation "killed in the course of judicial service."

6. As used in this section, "survivor beneficiary" means a person designated pursuant to NRS 1A.620.

Sec. 17. 1. Except as otherwise provided in subsections 2 and 3, a member of the System who is convicted of or pleads guilty or nolo contendere to any felony involving:

(a) Accepting or giving, or offering to give, any bribe;

(b) Embezzlement of public money;

(c) Extortion or theft of public money;

(d) Perjury; or

(e) Conspiracy to commit any crime set forth in paragraphs (a) to (d), inclusive,

➔ and arising directly out of his or her duties in judicial service, forfeits all rights and benefits under the System.

2. Upon a conviction described in subsection 1, the System must return to the member, without interest, all contributions which the member has made and which were credited to the member's individual account.

3. The provisions of subsections 1 and 2 apply only to persons who become members of the System on or after July 1, 2015.

Sec. 18. NRS 1A.160 is hereby amended to read as follows:

1A.160 1. The Judicial Retirement Fund is hereby established as a trust fund.



2. It is hereby declared to be the policy of the Legislature that the Judicial Retirement Fund is established to afford a degree of security to long-time justices of the Supreme Court, judges of the Court of Appeals, district judges, justices of the peace and municipal judges in this State. The money in the Fund must not be used or appropriated for any purpose incompatible with the provisions of this chapter or NRS 2.060 to 2.083, inclusive, 2A.100 to 2A.150, inclusive, or 3.090 to 3.099, inclusive. The Fund must be invested and administered to ensure the highest return consistent with safety in accordance with accepted investment practices.

3. All money appropriated by the Legislature to the Judicial Retirement Fund, all money submitted to the System for deposit in the Fund pursuant to NRS 1A.180 *and section 15 of this act*, and all income accruing to the Fund from all other sources must be deposited in the Fund.

4. The interest and income earned on the money in the Judicial Retirement Fund, after deducting any applicable charges, must be credited to the Fund.

5. The System must pay all retirement allowances, benefits, optional settlements and other obligations or payments payable by the System pursuant to this chapter and NRS 2.060 to 2.083, inclusive, 2A.100 to 2A.150, inclusive, and 3.090 to 3.099, inclusive, from the Judicial Retirement Fund. The money in the Fund must be expended by the Board for the payment of expenses authorized by law to be paid from the Fund.

Sec. 19. NRS 1A.180 is hereby amended to read as follows:

1A.180 *Except as otherwise provided in section 15 of this act:*

1. The Court Administrator shall submit to the System for deposit in the Judicial Retirement Fund on behalf of each justice of the Supreme Court, judge of the Court of Appeals or district judge who is a member of the System the percentage of compensation of the member that is determined by the actuary of the System to be required to pay the normal cost incurred in making payments for such members pursuant to subsection 5 of NRS 1A.160 and the administrative expenses of the System that are attributable to such members. Such payments must be:

(a) Accompanied by payroll reports that include information deemed necessary by the Board to carry out its duties; and

(b) Received by the System not later than 15 days after the calendar month for which the compensation and service credits of members of the System are reported and certified by the Court Administrator. The compensation must be reported separately for each month that it is paid.

2. The State of Nevada shall make an appropriation to the Court Administrator and the Court Administrator shall pay to the



1 System for deposit in the Judicial Retirement Fund from any fund
2 created for the purpose of paying pension benefits to justices of the
3 Supreme Court, judges of the Court of Appeals or district judges an
4 amount as the contribution of the State of Nevada as employer
5 which is actuarially determined to be sufficient to provide the
6 System with enough money to pay the benefits for justices of the
7 Supreme Court, judges of the Court of Appeals and district judges
8 for which the System will be liable.

9 3. Upon the participation of a justice of the peace or municipal
10 judge in the Judicial Retirement Plan pursuant to NRS 1A.285, the
11 county or city shall submit to the System for deposit in the Judicial
12 Retirement Fund on behalf of each justice of the peace or municipal
13 judge who is a member of the System the percentage of
14 compensation of the member that is determined by the actuary of the
15 System to be required to pay the normal cost incurred in making
16 payments for such members pursuant to subsection 5 of NRS
17 1A.160 and the administrative expenses of the System that are
18 attributable to such members. Such payments must be:

19 (a) Accompanied by payroll reports that include information
20 deemed necessary by the Board to carry out its duties; and

21 (b) Received by the System not later than 15 days after the
22 calendar month for which the compensation and service credits of
23 members of the System are reported and certified by the county or
24 city. The compensation must be reported separately for each month
25 that it is paid.

26 4. Upon the participation of a justice of the peace or municipal
27 judge in the Judicial Retirement Plan pursuant to NRS 1A.285, the
28 county or city shall pay to the System for deposit in the Judicial
29 Retirement Fund an amount as the contribution of the county or city
30 as employer which is actuarially determined to be sufficient to
31 provide the System with enough money to pay the benefits for
32 justices of the peace and municipal judges for which the System will
33 be liable.

34 5. Except as otherwise provided in this subsection, the total
35 contribution rate that is actuarially determined for members of the
36 Judicial Retirement Plan must be adjusted on the first monthly
37 retirement reporting period commencing on or after July 1 of each
38 odd-numbered year based on the actuarially determined contribution
39 rate indicated in the biennial actuarial valuation and report. The
40 adjusted rate must be rounded to the nearest one-quarter of 1
41 percent. The total contribution rate must not be adjusted pursuant to
42 this subsection if the existing rate is within one-half of 1 percent of
43 the actuarially determined rate.

44 **Sec. 20.** NRS 1A.350 is hereby amended to read as follows:

45 1A.350 1. A member of the Judicial Retirement Plan :



(a) *Who has an effective date of membership before July 1, 2015*, is eligible to retire at the age of 65 years if the member has at least 5 years of service, at the age of 60 years if the member has at least 10 years of service and at any age if the member has at least 30 years of service.

(b) *Who has an effective date of membership on or after July 1, 2015, is eligible to retire at the age of 65 years if the member has at least 5 years of service, at the age of 62 years if the member has at least 10 years of service, at the age of 55 years if the member has at least 30 years of service and at any age if the member has at least 33 1/3 years of service. For the purposes of this paragraph, any year or part of a year of service purchased pursuant to NRS 1A.310 by a member of the Judicial Retirement Plan who has an effective date of membership on or after July 1, 2015, must not be considered in determining the number of years of service of the member unless the member has a family medical emergency. For the purposes of this paragraph, the Board shall define by regulation "family medical emergency" and set forth by regulation the circumstances in which purchased service credit may be considered in determining the number of years of service of a member who has a family medical emergency.*

2. Any member of the Judicial Retirement Plan who has the years of creditable service necessary to retire, but has not attained the required age, if any, may retire at any age with a benefit actuarially reduced to the required retirement age. Except as otherwise required as a result of NRS 1A.410, a retirement benefit pursuant to this subsection must be reduced by 4 percent of the unmodified benefit for each full year that the member is under the appropriate retirement age, and an additional 0.33 percent for each additional month that the member is under the appropriate retirement age. Any option selected pursuant to this subsection must be reduced by an amount proportionate to the reduction provided in this subsection for the unmodified benefit. The Board may adjust the actuarial reduction based upon an experience study of the System and recommendation by the actuary.

Sec. 21. NRS 1A.400 is hereby amended to read as follows:

1A.400 Notwithstanding any other provision of law, the amount of compensation used to determine the retirement benefit of a member of the Judicial Retirement Plan must not exceed :

1. *If the member has an effective date of membership before July 1, 2015*, the limitation provided by section 401(a)(17) of the Internal Revenue Code, 26 U.S.C. § 401(a)(17).

2. *If the member has an effective date of membership on or after July 1, 2015, the lesser of:*



(a) *The limitation provided by section 401(a)(17) of the Internal Revenue Code, 26 U.S.C. § 401(a)(17); or*

(b) *Two hundred thousand dollars. The limitation set forth in this paragraph must be adjusted by the Board every year by an amount equal to the average percentage increase in the Consumer Price Index (All Items) for the immediately preceding 3-year period.*

Sec. 22. NRS 1A.440 is hereby amended to read as follows:

1A.440 Except as otherwise required as a result of NRS 1A.400 or 1A.410:

1. Except as otherwise provided in this subsection, a monthly service retirement allowance must be determined by multiplying a member of the Judicial Retirement Plan's average compensation ~~by~~:

(a) *If the member has an effective date of membership before July 1, 2015, by 3.4091 percent for each year of service, except that a member of the Plan is entitled to a benefit of not more than 75 percent of the member's average compensation.*

(b) *If the member has an effective date of membership on or after July 1, 2015, by 3.1591 percent for each year of service, except that a member of the Plan is entitled to a benefit of not more than 75 percent of the member's average compensation.*

2. For the purposes of this section, "average compensation" means the average of a member of the Plan's 36 consecutive months of highest compensation as certified by the Court Administrator if the member is a justice of the Supreme Court, a judge of the Court of Appeals or a district judge, by the county if the member is a justice of the peace or by the city if the member is a municipal judge.

Sec. 23. NRS 1A.530 is hereby amended to read as follows:

1A.530 As used in NRS 1A.530 to 1A.670, inclusive, *and sections 14, 16 and 16.5 of this act*, unless the context otherwise requires, the words and terms defined in NRS 1A.540, 1A.550 and 1A.560 *and section 14 of this act* have the meanings ascribed to them in those sections.

Sec. 24. NRS 1A.560 is hereby amended to read as follows:

1A.560 "Spouse" means the surviving husband, ~~or~~ wife *or domestic partner* of a deceased member of the Judicial Retirement Plan.

Sec. 25. Chapter 218C of NRS is hereby amended by adding thereto the provisions set forth as sections 26, 27 and 27.5 of this act.

Sec. 26. 1. *Except as otherwise provided in subsections 2 and 3, a Legislator who is a member of the Legislators' Retirement*



1 *System who is convicted of or pleads guilty or nolo contendere to*
2 *any felony involving:*

- 3 (a) *Accepting or giving, or offering to give, any bribe;*
- 4 (b) *Embezzlement of public money;*
- 5 (c) *Extortion or theft of public money;*
- 6 (d) *Perjury; or*
- 7 (e) *Conspiracy to commit any crime set forth in paragraphs (a)*
8 *to (d), inclusive,*
9 *➤ and arising directly out of his or her duties in legislative*
10 *service, forfeits all rights and benefits under the System.*

11 2. *Upon a conviction described in subsection 1, the*
12 *Legislators' Retirement System must return to the member,*
13 *without interest, all contributions which the member has made*
14 *and which were credited to the member's individual account.*

15 3. *The provisions of subsections 1 and 2 apply only to*
16 *Legislators who become members of the Legislators' Retirement*
17 *System on or after July 1, 2015.*

18 **Sec. 27.** 1. *The spouse of a Legislator who is a member of*
19 *the Legislators' Retirement System killed in the course of*
20 *legislative service on or after July 1, 2013, is entitled to receive a*
21 *monthly allowance equivalent to the greater of:*

22 (a) *Fifty percent of the salary of the member on the date of the*
23 *member's death; or*

24 (b) *One hundred percent of the retirement allowance that the*
25 *member was eligible to receive based on the member's years of*
26 *service obtained before the member's death without any reduction*
27 *for age for the deceased member.*

28 2. *The benefits provided by this section must be paid to the*
29 *spouse for the remainder of the spouse's life.*

30 3. *The spouse may elect to receive the benefits by any one of*
31 *the following only:*

32 (a) *This section; or*

33 (b) *NRS 218C.580.*

34 4. *For the purposes of this section, the Board shall define by*
35 *regulation "killed in the course of legislative service."*

36 5. *As used in this section:*

37 (a) *"Domestic partner" means a person who is in a domestic*
38 *partnership which is registered pursuant to chapter 122A of NRS*
39 *and which has not been terminated pursuant to that chapter.*

40 (b) *"Spouse" means the surviving husband, wife or domestic*
41 *partner of a Legislator killed in the course of legislative service.*

42 **Sec. 27.5.** 1. *If a Legislator who is a member of the*
43 *Legislators' Retirement System is killed in the course of legislative*
44 *service on or after July 1, 2013, and does not have at the time of*
45 *his or her death a spouse, as that term is defined in section 27 of*



this act, the survivor of the member is entitled to receive a monthly allowance equivalent to the greater of:

(a) Fifty percent of the salary of the member on the date of the member's death; or

(b) One hundred percent of the retirement allowance that the member was eligible to receive based on the member's years of service obtained before the member's death without any reduction for age for the deceased member.

2. The benefits provided by this section must be paid to the survivor for the remainder of his or her life.

3. The survivor may elect to receive the benefits provided by any one of the following only:

(a) This section; or

(b) NRS 218C.580.

4. For the purposes of this section, the Board shall define by regulation "killed in the course of legislative service."

Sec. 28. NRS 218C.450 is hereby amended to read as follows:
218C.450 1. The minimum requirement for retirement is :

(a) For a Legislator who has an effective date of membership before July 1, 2015, 10 years of accredited service ~~§~~; and

(b) For a Legislator who has an effective date of membership on or after July 1, 2015, 10 years of service. For the purposes of this paragraph, any year or part of a year of service purchased by a Legislator pursuant to NRS 218C.370 must not be considered in determining the number of years of service of the Legislator unless the Legislator has a family medical emergency. For the purposes of this paragraph, the Board shall define by regulation "family medical emergency" and set forth by regulation the circumstances in which purchased service credit may be considered in determining the number of years of service of a Legislator who has a family medical emergency.

↳ A lapse in service as a Legislator does not operate to forfeit any retirement rights accrued before the lapse.

2. A Legislator who meets ~~[this requirement]~~ *the requirements of subsection 1* may retire:

(a) At the age of 60 years or older with a full allowance.

(b) At any age less than 60 years with an allowance or benefit actuarially reduced to the age of 60 years. Except as otherwise required as a result of NRS 218C.340, an allowance or benefit under this paragraph must be reduced by 6 percent of the unmodified amount for each full year that the member is under the age of 60 years, and an additional 0.5 percent for each additional month that the member is under the age of 60 years. Any option selected must be reduced by an amount proportionate to the reduction provided in this subsection for the unmodified allowance or benefit. The Board



1 may adjust the actuarial reduction based upon an experience study
2 of the System and recommendation by the actuary.

3 **Sec. 29.** NRS 218C.530 is hereby amended to read as follows:

4 218C.530 Notwithstanding any other provision of law, the
5 amount of compensation used to determine the retirement benefit of
6 a member of the Legislators' Retirement System must not exceed :

7 *1. If the member has an effective date of membership before*
8 *July 1, 2015,* the limitation provided by section 401(a)(17) of the
9 Internal Revenue Code, 26 U.S.C. § 401(a)(17).

10 *2. If the member has an effective date of membership on or*
11 *after July 1, 2015, the lesser of:*

12 *(a) The limitation provided by section 401(a)(17) of the*
13 *Internal Revenue Code, 26 U.S.C. § 401(a)(17); or*

14 *(b) Two hundred thousand dollars. The limitation set forth in*
15 *this paragraph must be adjusted by the Board every year by an*
16 *amount equal to the average percentage increase in the Consumer*
17 *Price Index (All Items) for the immediately preceding 3-year*
18 *period.*

19 **Sec. 29.3.** NRS 218C.580 is hereby amended to read as
20 follows:

21 218C.580 1. The provisions of NRS 286.671 to 286.679,
22 inclusive, *and sections 4 and 4.5 of this act*, except NRS 286.6775,
23 relating to benefits for survivors pursuant to the Public Employees'
24 Retirement System, are applicable to the dependents of a Legislator
25 who is a member of the Legislators' Retirement System, and
26 the benefits for the survivors must be paid by the Board following
27 the death of the Legislator to the persons entitled thereto from the
28 Legislators' Retirement Fund.

29 2. It is declared that of the contributions required by
30 subsections 1 and 2 of NRS 218C.390, one-half of 1 percent must be
31 regarded as costs incurred in benefits for survivors.

32 **Sec. 29.6.** Section 8 of chapter 346, Statutes of Nevada 2009,
33 at page 1550, is hereby amended to read as follows:

34 Sec. 8. ~~{-}~~ This section and sections 1 to 6, inclusive,
35 of this act become effective upon passage and approval.

36 ~~{2. Section 7 of this act becomes effective on June 30,~~
37 ~~2015.}~~

38 **Sec. 29.7.** 1. If, during the period beginning on July 1, 2013,
39 and ending on June 30, 2015, a police officer or firefighter was
40 killed in the line of duty, any other member of the Public
41 Employees' Retirement System was killed in the course of
42 employment, a member of the Judicial Retirement Plan was killed in
43 the course of judicial service or a member of the Legislators'
44 Retirement System was killed in the course of legislative service,
45 the spouse, survivor beneficiary or survivor of such person may



elect to receive payments provided pursuant to section 4, 4.5, 16, 16.5, 27 or 27.5 of this act, as applicable. Such an election:

(a) Is not reversible; and

(b) Must be made on or before the date set forth by the Public Employees' Retirement Board. The date set forth by the Board must provide the spouse, survivor beneficiary or survivor a reasonable amount of time to make such an election.

2. If the spouse, surviving beneficiary or survivor makes an election pursuant to subsection 1 to receive payments provided pursuant to section 4, 4.5, 16, 16.5, 27 or 27.5 of this act, as applicable, the spouse, survivor beneficiary and any additional payee or survivor:

(a) Is eligible to receive the payments provided pursuant to section 4, 4.5, 16, 16.5, 27 or 27.5 of this act, as applicable, beginning on July 1, 2015. Except as otherwise provided in subparagraph (1) of paragraph (b), payments pursuant to section 4, 4.5, 16, 16.5, 27 or 27.5 of this act, as applicable, must be made retroactive to July 1, 2015.

(b) Is not eligible to:

(1) Continue to receive the payments provided pursuant to NRS 1A.590, 1A.600, 1A.610, 1A.630, 1A.640, 1A.650, 218C.580, 286.674, 286.676, 286.6765, 286.6766, 286.67675, 286.6768, 286.67685 or 286.6769, as applicable. Any payment made pursuant to such provisions on or after July 1, 2015, must be credited against the amount of retroactive payment that the spouse, survivor beneficiary, additional payee or survivor receives pursuant to paragraph (a).

(2) Receive retroactive payment of the benefits provided pursuant to section 4, 4.5, 16, 16.5, 27 or 27.5 of this act, as applicable, for the period beginning on the date of the death of the police officer, firefighter or other member and ending on June 30, 2015.

3. Immediately upon the effective date of this section, the Public Employees' Retirement Board shall send notice of the provisions of this section by certified mail to the spouse, survivor beneficiary or survivor of each police officer or firefighter killed in the line of duty, any other member of the Public Employees' Retirement System killed in the course of employment, a member of the Judicial Retirement Plan killed in the course of judicial service or a member of the Legislators' Retirement System killed in the course of legislative service during the period beginning on July 1, 2013, and ending on June 30, 2015.

4. For purposes of this section, the Public Employees' Retirement Board shall define by regulation "killed in the line of



duty,” “killed in the course of employment,” “killed in the course of judicial service” and “killed in the course of legislative service.”

Sec. 29.8. Section 7 of chapter 346, Statutes of Nevada 2009, at page 1550, is hereby repealed.

Sec. 30. 1. This section and sections 29.6, 29.7 and 29.8 of this act become effective upon passage and approval.

2. Sections 4, 4.5, 16, 16.5, 27 and 27.5 of this act become effective:

(a) Upon passage and approval for purposes of adopting regulations and performing any other preparatory administrative tasks; and

(b) On July 1, 2015, for all other purposes.

3. Sections 1, 2, 3, 5 to 15, inclusive, 17 to 26, inclusive, 28, 29 and 29.3 of this act become effective on July 1, 2015.

TEXT OF REPEALED SECTION

Section 7 of chapter 346, Statutes of Nevada 2009:

Sec. 7. NRS 286.523 is hereby repealed.

