

1 AN ACT relating to a leave of absence for service to the General Assembly.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 161.545 is amended to read as follows:

- 4 (1) (a) Members may make contributions and receive service credit for substitute,
5 part-time, or any service other than regular full-time teaching as provided in
6 the administrative regulations of the board of trustees if contributions were
7 not otherwise made as a result of the service.
- 8 (b) Members placed on leave of absence during a period of full-time employment
9 as defined in KRS 161.220(21) may make contributions and receive service
10 credit for this leave only if contributions are made by the end of the fiscal year
11 next succeeding the year in which the leave was effective as provided in
12 administrative regulations promulgated by the board of trustees. Contributions
13 permitted after August 1, 1982, shall not be picked-up pursuant to KRS
14 161.540(2). ***For members who are simultaneously serving as a legislator in***
15 ***the Kentucky General Assembly, the administrative regulations adopted by***
16 ***the board shall not limit the service a member may purchase for periods of***
17 ***an approved leave of absence granted by the employer for the member to***
18 ***serve as a legislator in the Kentucky General Assembly.***
- 19 (2) Active contributing members of the Teachers' Retirement System, or former
20 members who are currently participating in a state-administered retirement system,
21 who were granted leaves of absence during a period of full-time employment as
22 defined in KRS 161.220(21) since July 1, 1964, for reasons of health as defined
23 under the Federal Family Medical Leave Act of 1993, 29 U.S.C. secs. 2601 et seq.,
24 child rearing, or to improve their educational qualifications, and did not purchase
25 the leave of absence as provided in subsection (1) of this section may obtain credit
26 for the leave of absence as provided under the administrative regulations of the
27 board of trustees and under the following conditions:

- 1 (a) The leave of absence shall be verified by a copy of the board of education
2 minutes which granted the leave of absence or by other documentation that
3 was generated contemporaneously with the leave that is determined by the
4 retirement system to reasonably establish that a leave of absence was granted;
- 5 (b) The member shall contribute the required percentage based on the salary
6 received for the year immediately preceding the leave of absence plus interest
7 at the rate of eight percent (8%) compounded annually from the beginning of
8 the school year following the year of the leave of absence, and by depositing
9 the appropriate contributions in the state accumulation fund and medical
10 insurance fund; and
- 11 (c) The member shall receive credit for no more than two (2) years under the
12 provisions of this subsection.
- 13 (3) Sabbatical leaves of absence granted by any one (1) of the five (5) universities
14 identified in KRS 161.220(4)(b) for which the university employee is provided full
15 pay at the rate he or she was provided as a full-time employee immediately
16 preceding the sabbatical leave shall be deemed as full-time employment provided
17 for the university, and employee and employer contributions shall be made in
18 accordance with KRS 161.540 and 161.550.
- 19 (4) Contributions permitted under this section after August 1, 1982, shall not be picked-
20 up pursuant to KRS 161.540(2).
- 21 (5) Notwithstanding any other provisions of this section to the contrary, purchase of
22 service credit under subsection (2) of this section for individuals who become
23 members on or after July 1, 2008, shall be purchasable only at the full actuarial
24 cost.