

**78.545 Matters not specified in KRS 78.510 to 78.852. (Declared void -- See LRC Note Below)**

The following matters shall be administered in the same manner subject to the same limitations and requirements as provided for the Kentucky Employees Retirement System as follows:

- (1) Cessation of membership, conditions, as provided for by KRS 61.535;
- (2) Statement of member and employer, as provided for by KRS 61.540;
- (3) Beneficiary to be designated by member, change, rights, as provided for by KRS 61.542;
- (4) Service credit determination, as provided for by KRS 61.545;
- (5) Cessation of membership, loss of benefits, as provided for by KRS 61.550;
- (6) Service credit, Armed Forces, as provided for by KRS 61.555;
- (7) Normal and early retirement eligibility requirements, as provided for by KRS 61.559;
- (8) Retirement allowance increases as provided for by KRS 61.691;
- (9) Retirement application procedure, effective retirement date, as provided for by KRS 61.590;
- (10) Disability retirement, conditions, as provided for by KRS 61.600;
- (11) Disability retirement, allowance, as provided for by KRS 61.605;
- (12) Medical examination after disability retirement, as provided for by KRS 61.610;
- (13) Disability retirement allowance, reduction, as provided for by KRS 61.615;
- (14) Determination of retirement allowance, as provided for by KRS 61.595;
- (15) Refund of contributions, conditions, as provided for by KRS 61.625;
- (16) Refund of contributions, death after retirement, as provided for by KRS 61.630;
- (17) Optional retirement plans, as provided for by KRS 61.635;
- (18) Suspension of retirement payments on reemployment, reinstatement, as provided for by KRS 61.637;
- (19) Death before retirement, beneficiary's options, as provided for by KRS 61.640;
- (20) Board of trustees, conflict of interest, as provided for by KRS 61.655;
- (21) Custodian of funds, payments made, when, as provided for by KRS 61.660;
- (22) Medical examiners and hearing procedures, as provided for by KRS 61.665;
- (23) Actuarial bases, as provided for by KRS 61.670;
- (24) Employer's administrative duties, as provided for by KRS 61.675;
- (25) Correction of errors in records, as provided for by KRS 61.685;
- (26) Exemptions of retirement allowances, and qualified domestic relations orders, as provided for by KRS 61.690;
- (27) Credit for service prior to membership date, as provided for by KRS 61.526;
- (28) Creditable compensation of fee officers, as provided for by KRS 61.541;
- (29) Members' account, confidential, as provided for by KRS 61.661;

- (30) Retirement plan for employees determined to be in a hazardous position, as provided for by KRS 61.592;
- (31) Maximum disability benefit, as provided for by KRS 61.607;
- (32) Consent of employees to deductions and reciprocal arrangement between systems, as provided for by KRS 61.680;
- (33) Employer contributions, as provided for by KRS 61.565;
- (34) Recontribution and delayed contribution payments, purchase of service credit, interest, and installment payments, as provided for by KRS 61.552;
- (35) Hospital and medical insurance plan, as provided by KRS 61.702;
- (36) Death benefit, as provided by KRS 61.705;
- (37) Reinstated employee, contributions on creditable compensation, as provided for by KRS 61.569;
- (38) Statement to be made under oath, good faith reliance, as provided for in KRS 61.699;
- (39) Disability procedure for members in hazardous positions as provided for in KRS 16.582;
- (40) Direct deposit of recipient's retirement allowance as provided for in KRS 61.623;
- (41) Death or disability from a duty-related injury as provided in KRS 61.621;
- (42) Purchase of service credit effective July 1, 2001, as provided in KRS 61.5525;
- (43) Payment of small accounts upon death of member, retiree, or recipient without formal administration of the estate as provided in KRS 61.703;
- (44) Hybrid cash balance plan and 401(a) money purchase plan provided to new members as provided by KRS 61.5956 and 61.597;
- (45) Employer payment of increases in creditable compensation and adjustments to creditable compensation during the last five (5) years of employment as provided by KRS 61.598;
- (46) Calculation of retirement allowance, as provided by KRS 61.599;
- (47) Voluntary and involuntary cessation of participation by a participating agency as provided by KRS 61.522; and
- (48) Benefit election for members of the Kentucky Retirement Systems who began participating prior to July 1, 2019, as provided by KRS 61.5955.

**Effective:** July 14, 2018

**History:** Amended 2018 Ky. Acts ch. 107, sec. 42, effective July 14, 2018. -- Amended 2017 Ky. Acts ch. 125, sec. 11, effective March 27, 2017. -- Amended 2015 Ky. Acts ch. 28, sec. 11, effective June 24, 2015. -- Amended 2013 Ky. Acts ch. 120, sec. 75, effective July 1, 2013. -- Amended 2010 Ky. Acts ch. 148, sec. 8, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 77, sec. 29, effective June 25, 2009. -- Amended 2002 Ky. Acts ch. 52, sec. 23, effective July 15, 2002. -- Amended 2001 Ky. Acts ch. 7, sec. 3, effective June 21, 2001. -- Amended 2000 Ky. Acts ch. 385, sec. 35, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 485, sec. 27, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 240, sec. 55, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 346, sec. 7, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 349, sec. 34, effective July 15, 1988. -- Amended 1982 Ky. Acts ch.

423, sec. 17, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 311, sec. 23, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 321, secs. 33 and 40. -- Amended 1974 Ky. Acts ch. 128, sec. 34, effective March 26, 1974. -- Created 1972 Ky. Acts ch. 107, sec. 2; and ch. 116, sec. 64.

**Legislative Research Commission Note** (12/13/2018). On December 13, 2018, the Kentucky Supreme Court ruled that the passage of 2018 SB 151 (2018 Ky. Acts ch. 107), did not comply with the three-readings rule of Kentucky Constitution Section 46 and that the legislation is, therefore, constitutionally invalid and declared void. That ruling applies to changes made to this statute in that Act.