FINANCE AND ADMINISTRATION CABINET
Kentucky Public Pensions Authority
(Amendment)

105 KAR 1:020. Reciprocal program between CERS, KERS, SPRS, TRS, JRP and LRP.

RELATES TO: KRS 6.500-6.577, 16.505 – 16.652[16.505-16.645], 21.345-21.570, 61.510-61.705, 78.510-78.990, 161.600(3), 161.675

STATUTORY AUTHORITY: KRS 61.505(1)(g), 61.645(9)(e), 61.680, 78.552

CERTIFICATION STATEMENT: This is to certify that this administrative regulation complies with the requirements of KRS 13A.105(2) because it does not have a major economic impact.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 61.505(1)(g) and 61.645(9)(e) authorize[authorizes] the Board of Trustees of the Kentucky Public Pensions Authority[Kentucky Retirement Systems] to promulgate all administrative regulations necessary or proper in order to carry out the provisions of KRS 16.505 to 16.652, 61.505[61.515] to 61.705,[16.510 to 16.652,] and 78.520 to 78.852. KRS 61.680 and 78.5542 provide[provides] for the combining of retirement accounts for public employees having a retirement account in more than one (1) of the following state administered retirement systems: County Employees Retirement System, Kentucky Employees Retirement System, Judicial Retirement Plan, Legislators Retirement Plan, State Police Retirement System and Teachers' Retirement System. This administrative regulation establishes requirements to implement KRS 61.680 and 78.5542.

Section 1. Definitions. "Death benefit" or "survivor benefit" means a payment to a beneficiary of a deceased member who met the eligibility requirements of KRS 16.578(1), 61.640(1), or 78.5532(1) on the date of their death.

Section 2. General Provisions.

(1) To determine benefits upon the [Upon] death, disability or service retirement of a member having an account in more than one (1) state-administered retirement system, the Kentucky Public Pensions Authority shall[the following procedure shall be applicable in order to determine benefits for a member having an account in more than one (1) retirement system]:

(a) [(1)] Combine the member's service in all systems;[.]

(b) [(2)] Determine eligibility in each system based on combined service;[.]

(c) [(3)] If eligible in any system, determine benefits; and[.]

(d) [(4)] Check for specific exceptions such as prior service, request for separate account or special death or disability exception.

(2) The earliest membership date among the systems in which the member has service shall be used to calculate the benefits in each system.

[(5)] [Each system shall pay the applicable percentage of total benefit unless a specific exception exists.]

Section 3. [Section 2.] Service Retirement.

(1) A member eligible to retire who elects service retirement from one (1) system, shall be paid from all systems in which the member[he] has an account unless they request that their[he requests that his] accounts be separated.

(2) The "final compensation" shall be calculated by:

(a) For a member with a membership date prior to September 1, 2008, using the five (5) highest, or three (3) highest, if eligible, fiscal years creditable compensation

regardless of the system under which the service was earned, except as provided in KRS 61.680(7).

(b) For a member with a membership date on or after September 1, 2008 but prior to January 1, 2014 who is employed in a:

1. Nonhazardous position, using the five (5) complete fiscal years immediately preceding retirement regardless of the system under which the service was earned, except as provided in KRS 61.680(7). Fiscal years added to the final compensation calculation to reach sixty (60) months shall be added regardless of the system under which the service was earned; and

2. Hazardous position, by using the highest complete fiscal years regardless of the system under which the service was earned, except as provided in KRS 61.680(7). Fiscal years added to the final compensation calculation to reach thirty-six (36) months shall be added regardless of the system under which the service was earned.

(3) Each system shall determine benefit payments on the basis of the final compensation but using only the service earned in that system. Payments shall be made by each system in accordance with its usual procedures. If a member is not eligible for an unreduced benefit, benefits shall be actuarially reduced based on factors adopted by the respective retirement boards.

(4) The retiring member or beneficiary shall be required to elect the same payment option in each system administered by the Kentucky Public Pensions Authority~~[Retirement Systems]~~ except that a member of the State Police Retirement System~~[state policeman]~~ or a member with hazardous service may select the "Ten (10) Year Certain" option established~~[set forth]~~ in KRS 16.576(4) irrespective of the option chosen for nonhazardous service in another retirement system administered by the Kentucky Public Pensions Authority..

(5)

(a) A~~[retiring]~~ member may elect to have each system treat their~~[his]~~ service credit in that system without regard to any other service credit, by requesting that their~~[his]~~ accounts be separated by filing a Form 2022, Separation of Accounts; or

(b) Failing to retire from the other state-administered retirement system within one (1) calendar month of their effective retirement date with the retirement systems administered by Kentucky Public Pensions Authority. A member will not be considered to have failed to retire from the other state-administered retirement system on the basis of the other state-administered retirement system's determination, notwithstanding the provisions of KRS 61.680, that the member is only eligible for a refund of contributions from the other state-administered retirement system ~~[, with the Form 6000, Notification of Retirement]~~.

(6) If so requested, "final compensation" shall be based on the creditable compensation earned under each system separately.

Section 4. ~~[Section 3.]~~ Disability Retirement.

(1)

(a) If a contributing member of one (1) of the six (6) state-administered retirement systems qualifies for disability benefits, all systems under which the combined service meets service requirements shall participate in benefit payments unless accounts are separated by provisions of KRS 61.680(2)(b).

(b) Each system shall calculate benefits using the formula in effect in that system.

(c) Service added to County Employees Retirement System, Kentucky Employees Retirement System and State Police Retirement System accounts in accordance with the appropriate disability formula established in 105 KAR 1:210, Section 11~~[9]~~, shall be prorated between system accounts based on a percentage of actual earned service in

each system unless such proration conflicts with maximum added service permitted by law governing each system.

(d) Service added to Teachers Retirement System accounts pursuant to KRS 161.661(4) shall be actual earned service and upon such an award of service the Kentucky Public Pensions Authority shall recalculate the service to be added to the County Employees Retirement System, Kentucky Employees Retirement System, and State Police Retirement System accounts using the appropriate disability formula as established in 105 KAR 1:210, Section 11.

(2) If the combined service of a member meets service requirements in only one (1) system then that system shall pay benefits under the disability formula and the other system shall pay~~[as follows]~~:

(a) Benefits based on separate accounts if the member elects to maintain separate accounts;

(b) An actuarial accrued benefit based on the member's age, service and final compensation; or

(c) A refund, if requested by the member.

(3) The medical requirements for disability benefits shall be those of the system to which the member last contributed if combined service meets service requirements of that system. If service requirements are met in only one (1) system, the medical requirements of that system shall prevail.

(4) The process established in this section shall also be followed if the member qualifies for duty-related injury or death benefits pursuant to KRS 61.621.

Section 5. ~~[Section 4.]~~ Survivor Benefit. A member contributing to any of the six (6) state-administered retirement systems who has combined service sufficient to qualify their beneficiaries for a survivor~~[death]~~ benefit shall have their~~[his]~~ County Employees Retirement System, Kentucky Employees Retirement System, or State Police Retirement System benefits computed under the regular survivor~~[death]~~ formula based on their~~[his]~~ service in each of the three (3) systems.

Section 6. ~~[Section 5.]~~ Service Purchases. A member having valid service credit in more than one (1) of the retirement systems administered by Kentucky Public Pensions Authority~~[Retirement Systems]~~ who is eligible to purchase service credit may elect to purchase service credit in one (1) system, or~~[he]~~ may divide the service credit between the systems permitting purchase. If service is to be divided~~[, the following additional requirements shall be met]~~:

(1) The same years of service shall not be used in more than one (1) system; and~~[.]~~

(2) Each system shall calculate the costs of the retirement credit pursuant to~~[in keeping with]~~ the statutes and administrative regulations of that system.

Section 7. ~~[Section 6.]~~ Medical Insurance.

(1) A retiring member with service in more than one state-administered retirement system~~[the Kentucky Teachers' Retirement System and one (1) or more of the three (3) systems administered by Kentucky Retirement Systems]~~ shall have their~~[his]~~ total service in all~~[four (4)]~~ systems combined to determine their~~[his]~~ eligibility for medical insurance benefits. The systems shall share the cost of the member's premium under this section based on the member's~~[his]~~ combined service.

(2) If the member meets the minimum eligibility requirements, the member may elect to participate in the insurance program established in~~[under]~~ KRS 6.577, 16.645, 21.427, 61.702, 78.5536, or 161.675. The premium paid from the insurance funds shall not be more than 100 percent of the single premium amount adopted by the respective boards of trustees or more than the maximum percentage payable under the program established under KRS 6.577, 16.645, 21.427, 61.702, 78.5536, or 161.675.

(3)

(a) If the member elects to participate in the program under KRS 61.702 or 78.5536, the member's service in the state-administered retirement systems shall be combined to determine the applicable percentage that shall be paid toward their~~[his]~~ individual coverage under KRS 61.702(3) and 78.5536(3).

(b) The state-administered retirement systems shall pay a pro rata share of the member's premium based on the service in each system expressed as a percentage of total service credit earned in all systems not to exceed the amount of the single monthly contribution rate~~[premium cost]~~ adopted by the Board of Trustees of Kentucky Retirement Systems or the Board of Trustees of County Employees Retirement System.

1. The amount paid by the Kentucky Teachers' Retirement System shall not exceed the amount of the single monthly contribution rate~~[premium cost]~~ adopted by the Board of Trustees of the Kentucky Teachers' Retirement System.

2. The Kentucky Teachers' Retirement System shall not pay a percentage of the premium for a~~[the]~~ spouse or~~[and]~~ dependents.

(4)

(a) If the member elects to participate in the program under KRS 161.675, the member's service in the state-administered retirement systems shall be combined to determine the applicable percentage that shall be paid under KRS 161.675(4) ~~[161.675(3)]~~.

(b) The state-administered retirement systems shall pay a pro rata share of the member's premium based on the service in each system expressed as a percentage of total service credit earned in all systems,~~[including service in the Legislators' Retirement Plan and Judicial Retirement Plan,]~~ not to exceed the amount paid toward the monthly contribution~~[premium cost]~~ adopted by the Board of Trustees of Kentucky Teachers' Retirement System.

1. The amount paid by the Kentucky Employees Retirement System, County Employees Retirement System and State Police Retirement System shall not exceed the amount of the single monthly contribution~~[premium cost]~~ adopted by the Board of Trustees of the Kentucky Retirement Systems and the Board of Trustees of County Employees Retirement System.

2. The Kentucky Employees Retirement System, County Employees Retirement System and State Police Retirement System shall not pay a percentage of the premium for a~~[the]~~ spouse or dependents.

(c) Premiums payable pursuant to KRS 161.675 shall be paid by the Kentucky Teachers' Retirement System. The County Employees Retirement System, Kentucky Employees Retirement System, and State Police Retirement System shall reimburse the Teachers' Retirement System for the portion of the premium attributable to service in those systems.

(5)

(a) If the member elects to participate in the program under KRS 6.577 or 21.427, the member's service in the systems shall be combined to determine the applicable percentage that shall be paid under KRS 21.427(2)(a).

(b) The state-administered systems shall each pay a pro rata share of the member's premium based on the service in each system expressed as a percentage of total service credit earned in all state-administered retirement systems, not to exceed the amount paid toward the monthly contribution adopted by the Board of Trustees of the Judicial Form Retirement System.

1. The amount paid by the County Employees Retirement System, Kentucky Employees Retirement System, and State Police Retirement System shall not exceed the amount of the single monthly contribution adopted by the Board of Trustees of

the Kentucky Retirement Systems and the Board of Trustees of the County Employees Retirement Systems.

2. The County Employees Retirement System, Kentucky Employees Retirement System, and State Police Retirement System shall not pay a percentage of the monthly contribution for a spouse or dependents.

(c) Premiums payable pursuant to KRS 6.577 or 21.427 shall be paid by the Judicial Form Retirement System. The County Employees Retirement System, Kentucky Employees Retirement System, and State Police Retirement System shall reimburse Judicial Form Retirement System for the portion of the premium attributable to service in those systems.

(6)

(a) Premiums payable pursuant to~~[under]~~ KRS 61.702 and 78.5536 shall be paid by the Kentucky Employees Retirement System, County Employees Retirement System, and State Police Retirement System. The Kentucky Teachers' Retirement System or Judicial Form Retirement System shall reimburse the systems for the portion of the premium attributable to service in that system.

(b) Premiums payable pursuant to~~[under]~~ KRS 161.675 shall be paid by the Kentucky Teachers' Retirement System. The Kentucky Employees Retirement System, County Employees Retirement System, and State Police Retirement System shall reimburse the system for the portion of the premium attributable to service in those systems.

Section 8. ~~[Section 7.]~~ Incorporation by Reference.

(1) ~~[The following material is incorporated by reference:]~~

~~[(a)]~~ "Form 2022, Separation of Accounts, 11/25", Kentucky Public Pensions Authority is incorporated by reference~~[August 2002", Kentucky Retirement Systems; and]~~

~~[(b)]~~ ~~["Form 6000, Notification of Retirement, July 2004", Kentucky Retirement Systems]~~.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Public Pensions Authority~~[Retirement Systems, Perimeter Park West]~~, 1260 Louisville Road, Frankfort, Kentucky 40601-6124, Monday through Friday, 8 a.m. to 4:30 p.m. and on the agency's website at kyret.ky.gov.105 KAR 1:020. Reciprocal program between CERS, KERS, SPRS, TRS, JRP and LRP is approved for filing.

RYAN BARROW, Executive Director

APPROVED BY AGENCY: November 4, 2025

FILED WITH LRC: November 11, 2025

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Monday, January 26, 2026 at 10:00 a.m. Eastern Time at the Kentucky Public Pensions Authority (KPPA), 1270 Louisville Road, Frankfort, Kentucky 40601. Individuals interested in presenting a public comment at this hearing shall notify this agency in writing no later than five (5) workdays prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through January 31, 2026 and shall receive the same consideration as verbal comments. Send written notification of intent to be heard at the public hearing, or written comments on

the proposed administrative regulation, to the contact person. KPPA shall file a response with the Regulations Compiler to any public comments received, whether at the public comment hearing or in writing, via a Statement of Consideration no later than the 15th day of the month following the end of the public comment period, or upon filing a written request for extension, no later than the 15th day of the second month following the end of the public comment period.

CONTACT PERSON: Carole J. Catalfo, Policy Specialist, Kentucky Public Pensions Authority. 1260 Louisville Road, Frankfort, Kentucky 40601. Phone (502) 696-8679, Fax (502) 696-8615, Email: Legal.Non-Advocacy@kyret.ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Carole J. Catalfo

Subject Headings:Boards and Commissions, Local Governments, Retirements and Pensions, State Police, State Employees

(1) Provide a brief summary of:

(a) What this administrative regulation does:
This administrative regulation establishes the procedures for determining retirement benefits for public employees who have retirement accounts in more than one state-administered retirement system.

(b) The necessity of this administrative regulation:
This administrative regulation is necessary to establish the procedures for determining retirement benefits for public employees who have retirement accounts in more than one state-administered retirement system.

(c) How this administrative regulation conforms to the content of the authorizing statutes:
KRS 61.505(1)(g) and 61.645(9)(e) authorize the Board of Trustees of the Kentucky Public Pensions Authority to promulgate all administrative regulations necessary or proper in order to carry out the provisions of KRS 16.505 to 16.652, 61.505 to 61.705, and 78.520 to 78.852. KRS 61.680 and 78.5542 provide for the combining of retirement accounts for public employees having a retirement account in more than one (1) of the following state administered retirement systems: County Employees Retirement System, Kentucky Employees Retirement System, Judicial Retirement Plan, Legislators Retirement Plan, State Police Retirement System and Teachers' Retirement System. This administrative regulation establishes requirements to implement KRS 61.680 and 78.5542.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:
This administrative regulation is necessary to establish the procedures for determining retirement benefits for public employees who have retirement accounts in more than one state-administered retirement system.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:
The amendment corrects and adds statutory references, adds a definition for "death benefit" or "survivor benefit", adds benefit calculations for Tier II employees, clarifies calculations for participation under KRS 6.577 and 21.427, removes a form that has been incorporated by reference into its own regulation, reorganizes related substantive provisions, and clarifies terms and aligns language with KRS Chapter 13A drafting requirements.

(b) The necessity of the amendment to this administrative regulation:
The amendment is necessary to correct and add recent statutory references, add a definition for "death benefit" or "survivor benefit", add benefit calculations for Tier II employees, clarify calculations for participation under KRS 6.577 and 21.427, remove a form that has been incorporated by reference into its own regulation, reorganize related substantive provisions, and clarify terms and align language with KRS Chapter 13A drafting requirements. (c) How this administrative regulation

conforms to the content of the authorizing statutes: KRS 61.505(1)(g) and 61.645(9)(e) authorize the Board of Trustees of the Kentucky Public Pensions Authority to promulgate all administrative regulations necessary or proper in order to carry out the provisions of KRS 16.505 to 16.652, 61.505 to 61.705, and 78.520 to 78.852. KRS 61.680 and 78.5542 provide for the combining of retirement accounts for public employees having a retirement account in more than one (1) of the following state administered retirement systems: County Employees Retirement System, Kentucky Employees Retirement System, Judicial Retirement Plan, Legislators Retirement Plan, State Police Retirement System and Teachers' Retirement System. This administrative regulation establishes requirements to implement KRS 61.680 and 78.5542.

(c) How the amendment conforms to the content of the authorizing statutes:
No answer provided.

(d) How the amendment will assist in the effective administration of the statutes:
The amendment will assist in the effective administration of the statutes by correcting and adding recent statutory references, adding a definition for "death benefit" or "survivor benefit", adding benefit calculations for Tier II employees, clarifying calculations for participation under KRS 6.577 and 21.427, removing a form that has been incorporated by reference into its own regulation, reorganizing related substantive provisions, and clarifying terms and aligning language with KRS Chapter 13A drafting requirements.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?KRS 61.505 - Amended 2024 Ky. Acts ch. 55, sec. 1, effective July 15, 2024. -- Amended 2023 Ky. Acts ch. 28, sec. 1, effective June 29, 2023. -- Amended 2022 Ky. Acts ch. 216, sec. 2, effective April 14, 2022. -- Amended 2021 Ky. Acts ch. 102, sec. 76, effective April 1, 2021. -- Created 2020 Ky. Acts ch. 79, sec. 2, effective April 1, 2021. KRS 61.645 - Amended 2024 Ky. Acts ch. 55, sec. 13, effective July 15, 2024. -- Amended 2023 Ky. Acts ch. 94, sec. 3, effective June 29, 2023. -- Amended 2022 Ky. Acts ch. 216, sec. 12, effective April 14, 2022. -- Amended 2021 Ky. Acts ch. 102, sec. 66, effective April 1, 2021. -- Amended 2020 Ky. Acts ch. 79, sec. 4, effective April 1, 2021. KRS 61.680 - Amended 2022 Ky. Acts ch. 216, sec. 29, effective April 14, 2022. --Amended 2021 Ky. Acts ch. 96, sec. 10, effective June 29, 2021; and ch. 102, sec. 70, effective April 1, 2021. KRS 78.552 - Created 2021 Ky. Acts ch. 102, sec. 17, effective April 1, 2021.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:
This administrative regulation affects the Kentucky Public Pensions Authority, the state-administered retirement systems, and only those members who are or become eligible to purchase service credit and who have an account in more than one system. There are approximately 433,461 members in the state-administered retirement systems.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:
The regulated community will be minimally impacted because the administrative regulation is already being implemented as written.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

There will be no additional costs to comply with the amendment because it is already being implemented as written.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

The regulated community will benefit from corrected and the addition of recent statutory references, the new definition for "death benefit" or "survivor benefit", benefit calculations for Tier II employees, clarified calculations for participation under KRS 6.577 and 21.427, the removal of a form that has been incorporated by reference into its own regulation, reorganized related substantive provisions, and clarified terms in language that aligns with KRS Chapter 13A drafting requirements.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There will be no additional costs because the regulation is already being implemented as written.

(b) On a continuing basis:

There will be no additional costs because the regulation is already being implemented as written.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

Administrative expenses of the Kentucky Public Pensions Authority are paid from the Retirement Allowance Account (trust and agency funds).

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

No, an increase in fees or funding will not be necessary.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

No, this administrative regulation does not establish any fees or directly or indirectly increase any fees.

(10) TIERING: Is tiering applied?

No, tiering is not applied. The processes and procedures are the same for all members.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

. KRS 61.505(1)(g), 61.645(9)(e), 61.680 and 78.5542.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

KRS 61.505(1)(g), 61.645(9)(e), 61.680 and 78.5542.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The promulgating agency is the Kentucky Public Pensions Authority. Affected state units are the state-administered retirement systems.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:None.

For subsequent years:None.

2. Revenues:

For the first year:None.

For subsequent years:None.

3. Cost Savings:

For the first year:None.

For subsequent years:None.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

There are no affected local entities.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

There are no additional affected regulated entities.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. **Expenditures:**

   For the first year:N/A

   For subsequent years:N/A

2. **Revenues:**

   For the first year:N/A

   For subsequent years:N/A

3. **Cost Savings:**

   For the first year:N/A

   For subsequent years:N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

This administrative regulation has minimal fiscal impact. It is already being administered as written.

(b) Methodology and resources used to reach this conclusion:

The agency analyzed costs and procedures related to administering the reciprocal state-administered retirement systems for public employees who have a retirement account in more than one (1) of the state administered retirement systems.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

No, this administrative regulation will not have a major economic impact as defined by KRS 13A.010(14).

(b) The methodology and resources used to reach this conclusion:

The agency analyzed costs and procedures related to administering the reciprocal state-administered retirement systems for public employees who have a retirement account in more than one (1) of the state administered retirement systems.