

161.5465 Member with twenty years' service credit may purchase five years' service credit -- Exceptions. (Declared void -- See LRC Note Below)

On or after August 1, 1998, a member of the Teachers' Retirement System in active contributing status who has a minimum of twenty (20) years of service credit may purchase up to a maximum of five (5) years of service credit that is not otherwise purchasable under any of the provisions of KRS 161.220 to 161.716 and that meets the definition of nonqualified service as provided in Section 1526 of the Federal Taxpayer Relief Act of 1997. The member shall pay the full actuarial cost of the service credit as provided in KRS 161.220(22). The payment shall not be picked up by the employer as described in KRS 161.540(2), and the member's payment shall be credited to the member's contribution account and shall be considered accumulated contributions of the member. Payment by the member may be by lump sum or by installment payments as provided in KRS 161.597. Notwithstanding any other statute to the contrary, the Kentucky Teachers' Retirement System shall recognize nonqualified service credit purchased with another retirement system only to the extent that the member had an equivalent number of full months of active employment in the position covered by the other retirement system during the period that the nonqualified service was purchased. This section shall not apply to:

- (1) Individuals who become members on or after July 1, 2008, but prior to January 1, 2019, except that a teacher of a local school board may purchase up to ten (10) months of service under this section if the teacher is retiring and has completed the prior school year with at least twenty-six (26) years and two (2) months of service but less than twenty-seven (27) years of service; and
- (2) Individuals who become members on or after January 1, 2019.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 107, sec. 59, effective July 14, 2018. -- Amended 2008 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 36, effective June 27, 2008. -- Amended 2002 Ky. Acts ch. 275, sec. 19, effective July 1, 2002. -- Amended 2000 Ky. Acts ch. 498, sec. 11, effective July 1, 2000. -- Created 1998 Ky. Acts ch. 515, sec. 16, effective July 1, 1998.

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.