

78.5514 Members of County Employees Retirement System who began participating before January 1, 2014, with service in hazardous positions -- Eligibility for retirement allowance.

- (1) The provisions of this section shall only apply to members of the County Employees Retirement System who began participating in the system prior to January 1, 2014, who have service in a hazardous position.
- (2) (a) A member who began participating prior to September 1, 2008, is eligible for a retirement allowance determined under subsection (4)(a) of this section for his or her service if:
 1. The member has attained normal retirement age and has five (5) or more years of service, at least one (1) of which is current service;
 2. The member has twenty (20) or more years of service, at least fifteen (15) of which are current service; or
 3. The member has attained age fifty (50) and has fifteen (15) or more years of service.
- (b) In lieu of any other benefits due under 78.510 to 78.852, a member who began participating prior to September 1, 2008, who has attained normal retirement age and who has obtained at least one (1) month of service credit but no more than fifty-nine (59) months of service may elect to receive an annual retirement allowance payable monthly or less frequently, as determined by the board, which shall be determined by multiplying his or her accumulated contributions by two (2) and converting this amount to an annual retirement allowance based on an annuity rate adopted by the board which would pay the actuarial equivalent of twice his or her accumulated contributions over the lifetime of the retired member.
- (3) A member who began participating on or after September 1, 2008, but prior to January 1, 2014, is eligible for a retirement allowance determined under subsection (4)(b) of this section for his or her service if:
 - (a) The member has attained normal retirement age and has five (5) years of service credited under KRS 16.543(1), 61.543(1), or 78.615(1), or another state-administered retirement system;
 - (b) The member has twenty-five (25) or more years of service credited under KRS 16.543(1), 61.543(1), or 78.615(1), or another state-administered retirement system; or
 - (c) The member has attained age fifty (50) and has fifteen (15) years of service credited under KRS 16.543(1), 61.543(1), or 78.615(1), or another state-administered retirement system.
- (4) (a) A member of the system covered by this section who began participating prior to September 1, 2008, may elect to receive an annual retirement allowance, payable monthly during his or her lifetime, equal to two and five-tenths percent (2.5%) of final compensation for each year of service credit.
- (b) A member of the system covered by this section, who begins participating in the system on or after September 1, 2008, but prior to January 1, 2014, shall be eligible to receive an annual retirement allowance, payable

monthly during his or her lifetime, equal to:

1. One and three-tenths percent (1.3%) of final compensation for each year of service credit if the employee has earned ten (10) or less years of service at retirement;
2. One and one-half percent (1.5%) of final compensation for each year of service credit if the employee has earned greater than ten (10) but no more than twenty (20) years of service at retirement;
3. Two and one-quarter percent (2.25%) of final compensation for each year of service credit if the employee has earned greater than twenty (20) but less than twenty-five (25) years of service at retirement; or
4. Two and one-half percent (2.5%) of final compensation for each year of service credit if the employee has earned twenty-five (25) or more years of service at retirement.

(c) The annual retirement allowance determined under this subsection shall:

1. Not be reduced for a member retiring under the provisions specified by subsections (2)(a)1., (2)(a)2., (3)(a), and (3)(b) of this section; and
2. Be reduced for a member retiring under the provisions specified by subsections (2)(a)3. and (3)(c) of this section by an amount determined by the board's actuary to reflect the earlier commencement of benefits.

Effective: April 1, 2021

History: Created 2021 Ky. Acts ch. 102, sec. 3, effective April 1, 2021.