

**78.545 Matters administered for County Employees Retirement System in same manner as for Kentucky Employees Retirement System -- References to Kentucky Retirement Systems to include County Employees Retirement System.**

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

- (1) Statement of member and employer, as provided for by KRS 61.540;
- (2) Beneficiary to be designated by member, change, rights, as provided for by KRS 61.542;
- (3) Service credit determination, as provided for by KRS 61.545;
- (4) Retirement application procedure, effective retirement date, as provided for by KRS 61.590;
- (5) Refund of contributions, conditions, as provided for by KRS 61.625;
- (6) Refund of contributions, death after retirement, as provided for by KRS 61.630;
- (7) Recontribution and delayed contribution payments, purchase of service credit, interest, and installment payments, as provided for by KRS 61.552;
- (8) Optional retirement plans, as provided for by KRS 61.635;
- (9) Board of trustees, conflict of interest, as provided for by KRS 61.655;
- (10) Custodian of funds, payments made, when, as provided for by KRS 61.660;
- (11) Medical examiners and hearing procedures, as provided for by KRS 61.665;
- (12) Correction of errors in records, as provided for by KRS 61.685;
- (13) Exemptions of retirement allowances, and qualified domestic relations orders, as provided for by KRS 61.690;
- (14) Credit for service prior to membership date, as provided for by KRS 61.526;
- (15) Members' account, confidential, as provided for by KRS 61.661;
- (16) Consent of employees to deductions and reciprocal arrangement between systems, as provided for by KRS 61.680;
- (17) Reinstated employee, contributions on creditable compensation, as provided for by KRS 61.569;
- (18) Statement to be made under oath, good faith reliance, as provided for in KRS 61.699;
- (19) Direct deposit of recipient's retirement allowance as provided for in KRS 61.623;
- (20) Death or disability from a duty-related injury as provided in KRS 61.621;
- (21) Payment of small accounts upon death of member, retiree, or recipient without formal administration of the estate as provided in KRS 61.703;
- (22) 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;
- (23) Calculation of retirement allowance, as provided by KRS 61.599; and
- (24) Benefit election for members of the Kentucky Retirement Systems as provided by KRS 61.5955.

Effective April 1, 2021, as it relates to KRS 61.590, 61.598, 61.655, 61.665, and 61.703, references to "Kentucky Retirement Systems" or "systems administered by Kentucky Retirement Systems" as it relates to benefit eligibility shall include the County Employees Retirement System and references to "Kentucky Retirement Systems" or the "Kentucky Retirement Systems board of trustees" as it relates to administrative decisions, duties, requirements, or conflict of interest provisions shall for purposes of the County Employees Retirement System mean the County Employees Retirement System or County Employees Retirement System board of trustees, as applicable.

**Effective:** April 1, 2021

**History:** Amended 2021 Ky. Acts ch. 102, sec. 20, effective April 1, 2021. -- Amended 2020 Ky. Acts ch. 79, sec. 40, effective April 1, 2021. -- 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.