

| IDENTIFYING THE RULE AND REGULATION   |                                |   |                     |                          |  |   | PURPOSE  | NECESSITY  |  |   | TIES TO FEDERAL PROGRAMS   |  |   |   |   | POTENTIAL FOR REVOCATION   |  |  | ADDITIONAL   |
|---|--------------------------------|---|---------------------|--------------------------|--|---|--|--|--|---|--|--|---|---|---|--|--|--|--|
| Number  | Article Title                  | Rule and Regulation Title   | Type (new, amended) | Effective Date (history) | Authorizing KSA(s)   | Implementing KSA(s)   | Briefly describe the public purpose of the rule and regulation.  | Is the rule and regulation necessary for the implementation and administration of state law, or could it be revoked? | Does the rule and regulation serve an identifiable public purpose in support of state law? | Is the rule and regulation broader than necessary to meet its public purpose? | Is the rule and regulation federally required for state participation in a federal program or authority? | Is the rule and regulation necessary for federal enforcement authority to the State? | If the rule and regulation is federally required, the state and federal program names and the federal agency name | Could federal moneys be in jeopardy under current law if the rule and regulation were repealed? | If federal moneys could be in jeopardy, the approximate amount received for the most recent fiscal year | Briefly describe how revocation would affect Kansans.  | If the rule and regulation is not in active use, would revocation require a change to the authorizing or implementing statute? | If the rule and regulation is not in active use and revocation would require a change to the authorizing or implementing statute, which change(s)? | Additional information necessary to understand the necessity of this rule and regulation |
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| 80-1-1  | Article 1.-Membership          | Year of service; commencement   | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4911, as amended by L. 1998, ch. 201, sec. 15   | As of July 1, 2009, the Retirement Act no longer requires a year of service prior to membership in the system. K.S.A. 74-4911. The year of service can be purchased, and employer arrearages may occur.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when members purchase their year of KPERS service.   | In active use  | In active use  |  |
| 80-1-2  | Article 1.-Membership          | Year of service before entry date; service defined  | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4911, as amended by L. 1998, ch. 201, sec. 15   | Membership. As of July 1, 2009, the Retirement Act no longer requires a year of service prior to membership in the system. K.S.A. 74-4911. The year of service can be purchased, and employer arrearages may occur.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when members purchase their year of KPERS service.   | In active use  | In active use  |  |
| 80-1-3  | Article 1.-Membership          | Year of service after entry date; service defined   | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4911, as amended by L. 1998, ch. 201, sec. 15   | Membership. As of July 1, 2009, the Retirement Act no longer requires a year of service prior to membership in the system. K.S.A. 74-4911. The year of service can be purchased, and employer arrearages may occur.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when members purchase their year of KPERS service.   | In active use  | In active use  |  |
| 80-1-4  | Article 1.-Membership          | Revoked   |                     |                          |  |   |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-1-5  | Article 1.-Membership          | Military service; year of service   | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4911, as amended by L. 1998, ch. 201, sec. 15, 74-4913, as amended by L. 1998, ch. 201, sec. 16               | Membership. As of July 1, 2009, the Retirement Act no longer requires a year of service prior to membership in the system. K.S.A. 74-4911. The year of service can still be purchased for those with membership dates prior to January 1, 2009, and employer arrearages may occur. | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when members purchase their year of KPERS service and/or military service.                       | In active use  | In active use  |  |
| 80-1-6  | Article 1.-Membership          | Active military duty; terminal leave  | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4911, as amended by L. 1998, ch. 201, sec. 15   | Membership. Clarifies enrollment processes for members who may have dates of military leave for purchasing or service credit.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when crediting military service to members' KPERS accounts.                                      | In active use  | In active use  |  |
| 80-1-7  | Article 1.-Membership          | Employee, defined   | New                 | Jan. 1, 1966             | 74-4909  |   | Membership. K.S.A. 74-4909 defines employee. This regulation adds the requirement that employees are covered by social security as required for eligible employers.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the definition of employee for membership purposes.                                    | In active use  | In active use  |  |
| 80-1-8  | Article 1.-Membership          | Year of service; no compensation; effect of   | New                 | Jan. 1, 1966             | 74-4909  |   | Membership. For the purpose of purchasing previously earned service credit, this regulation clarifies that compensation must be paid.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when determining eligibility of previous service that might be purchased.                        | In active use  | In active use  |  |
| 80-1-9  | Article 1.-Membership          | Employer's entry date; employees affected   | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4910, as amended by L. 1998, ch. 201, sec. 14 and 74-4911, as amended by L. 1998, ch. 201, sec. 16            | Membership. Clarifies enrollment of employees employed at the time of an employer's affiliation.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty to employers affiliating and treatment of their employees at the time.                           | In active use  | In active use  |  |
| 80-1-10   | Article 1.-Membership          | Eligible employers  | Amended             | Sept. 10, 1999           | 1998 Supp. 74-4909   | 1998 Supp. 74-4910  | Membership. Assists in determining which employers are eligible to affiliate for KPERS coverage under the Retirement Act and the Internal Revenue Code.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when employers are affiliating for KPERS coverage.   | In active use  | In active use  |  |
| 80-1-11   | Article 1.-Membership          | Continuous employment construed; reorganization   | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4913, as amended by L. 1998, ch. 201, sec. 16   | Membership. Protects employees when employers may consolidate or reorganize. Guarantees those employees continued KPERS coverage.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty as to the treatment of employees when employers restructure.                                     | In active use  | In active use  |  |
| 80-1-12   | Article 1.-Membership          | Revoked   |                     |                          |  |   |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-1-13   | Article 1.-Membership          | Employee of employer; construed   | New                 | Jan. 1, 1966             | 74-4909  |   | Membership. Clarifies that the employer of an employee is the one from which compensation is received. Assists when third-party or temporary employers are involved.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the treatment of employees in multiple positions.                                      | In active use  | In active use  |  |
| 80-2-1  | Article 2.-Multiple Enrollment | Multiple employment; definition and requirements  | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4911, as amended by L. 1998, ch. 201, sec. 15, K.S.A. 74-4919, as amended by L. 1998, ch. 64, sec. 37, K.S.A. | Multiple Enrollment. Categorizes types of multiple employment for the purpose of correctly and consistently enrolling members for proper KPERS coverage.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the treatment of employees who work for multiple KPERS-covered employers.              | In active use  | In active use  |  |
| 80-2-2  | Article 2.-Multiple Enrollment | Multiple employment prior service credit; contributions; termination; retirement; construed | Amended             | Jan. 1, 1969             | 74-4909  |   | Multiple Enrollment. Clarifies the treatment of contribution in situations where an employee has multiple employment.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when collecting contributions from members who are employed by multiple KPERS-covered employers. | In active use  | In active use  |  |

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| 80-2-3   | Article 2.-Multiple Enrollment                     | Multiple employment, designation of beneficiary  | New                 | Jan. 1, 1966             | 74-4909  |  | Multiple Enrollment. In the case of multiple employment, outlines that beneficiary designations will be recognized as received by KPERS.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty as to a rightful beneficiary in the event of the member's death.   | In active use  | In active use  |  |
| 80-2-4   | Article 2.-Multiple Enrollment                     | Multiple employment; prior service annual salary   | New                 | Jan. 1, 1969             | 74-4909  |  | Multiple Enrollment. Clarifies calculation of compensation when an employee has multiple employment with an employer who later affiliates.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result of uncertainty regarding an employee's compensation when an employer affiliates for KPERS coverage.   | In active use  | In active use  |  |
| <del>80-3-1</del>  | <del>Article 3.-Credit and Breaks in Service</del> | <del>Revoked</del>   |                     |                          |  |  |   |  |  |   |  |  |   |   |   |  |  |  |  |
| <del>80-3-2</del>  | <del>Article 3.-Credit and Breaks in Service</del> | <del>Revoked</del>   |                     |                          |  |  |   |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-3-3   | Article 3.-Credit and Breaks in Service            | Prior service credit, break in service, defined  | New                 | Jan. 1, 1966             | 74-4909  |  | Credit and Breaks in Service. Clarifies what is not considered a break in service. Used when purchasing forfeited service or crediting arrearages.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the crediting of service when an individual has had breaks in service or purchased service.  | In active use  | In active use  |  |
| 80-3-4   | Article 3.-Credit and Breaks in Service            | Participating service credit; granted when; leaves of absence; military leave; contributions | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4913, as amended by L. 1998, ch. 201, sec. 16  | Credit and Breaks in Service. Clarifies that employers should indicate when an employee is on leave of absence without pay, and how to credit military leave.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding crediting of service when an employee is on leave or serving in the military.  | In active use  | In active use  |  |
| <del>80-3-5</del>  | <del>Article 3.-Credit and Breaks in Service</del> | <del>Revoked</del>   |                     |                          |  |  |   |  |  |   |  |  |   |   |   |  |  |  |  |
| <del>80-3-6</del>  | <del>Article 3.-Credit and Breaks in Service</del> | <del>Revoked</del>   |                     |                          |  |  |   |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-3-7   | Article 3.-Credit and Breaks in Service            | Participating service, recording of, compensation  | New                 | Jan. 1, 1966             | 74-4909  |  | Credit and Breaks in Service. Clarifies that service is credited on a quarterly basis and limits crediting to one quarter for any calendar quarter.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty in crediting service when service is purchased or granted for previous employment.   | In active use  | In active use  |  |
| <del>80-3-8</del>  | <del>Article 3.-Credit and Breaks in Service</del> | <del>Revoked</del>   |                     |                          |  |  |   |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-3-9   | Article 3.-Credit and Breaks in Service            | Withdrawal of contributions; payment of interest on account                                  | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4917, as amended by L. 1998, ch. 201, sec. 19  | Credit and Breaks in Service. Prohibits the withdrawal of KPERS contributions with pending legal dispute, allows crediting of service for awarded back pay. Clarifies the finality of a withdrawal application. Clarifies that withdrawal before June 30 will not include credited interest. Clarifies that no employers need remit adjustments once withdrawn. | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the treatment of KPERS accounts when an employment dispute is pending. May result in uncertain treatment of withdrawn accounts and crediting of interest or service. | In active use  | In active use  |  |
| <del>80-3-10</del>   | <del>Article 3.-Credit and Breaks in Service</del> | <del>Revoked</del>   |                     |                          |  |  |   |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-3-11  | Article 3.-Credit and Breaks in Service            | Prior service credit, proof of   | New                 | Jan. 1, 1966             | 74-4909  | K.S.A. 74-4909   | Credit and Breaks in Service. Allows a member to submit proof of prior service when an employer's records are insufficient.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in an uncertainty regarding whether prior service should be credited when the employer lacks documentation of employment.   | In active use  | In active use  |  |
| 80-3-12  | Article 3.-Credit and Breaks in Service            | Military service credit, time for claiming   | New                 | Jan. 1, 1970             | 74-4909  | K.S.A. 74-4909   | Credit and Breaks in Service. Requires an employee to remit documentation of military service within three months to claim military service, with exemptions.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the crediting or granting of military service.   | In active use  | In active use  |  |
| <del>80-3-13</del>   | <del>Article 3.-Credit and Breaks in Service</del> | <del>Revoked</del>   |                     |                          |  |  |   |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-3-14  | Article 3.-Credit and Breaks in Service            | Years of service; early retirement or vested benefit; computation of                         | New                 | Jan. 1, 1966             | 74-4909  | K.S.A. 74-4909   | Credit and Breaks in Service. Credited service is added to prior service and rounded to nearest whole year to determine vesting.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the crediting of partial years of service.   | In active use  | In active use  |  |
| 80-3-15  | Article 3.-Credit and Breaks in Service            | Participating service; purchase of year of service   | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 74-4919, as amended by L. 1998, ch. 64, sec. 37              | Credit and Breaks in Service. When purchasing service, forfeited service must be purchased before the year of service is purchased.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the purchase of both forfeited service and the year of service.  | In active use  | In active use  |  |
| 80-3-16  | Article 3.-Credit and Breaks in Service            | Military service; purchase of credit for   | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4919h, as amended by L. 1998, ch. 201, sec. 21 | Credit and Breaks in Service. When purchasing service, active military does not include training. Reserve time may be purchased at the rate of one quarter per year of reserve. Compliance with federal law (Uniformed Services Employment and Reemployment Rights Act.)  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the crediting of military service and compliance with USERRA.  | In active use  | In active use  |  |
| 80-4-1   | Article 4.-Members' Accounts                       | Members' accounts; identification of   | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4911, as amended by L. 1998, ch. 201, sec. 15  | Members' Accounts. Requires identification of member's accounts using a social security number or other special identifying number at various times.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in the misidentification of member's accounts.  | In active use  | In active use  |  |

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| 80-4-2   | Article 4.-Members' Accounts | Revoked  |                     |                          |  |  |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-4-3   | Article 4.-Members' Accounts | Revoked  |                     |                          |  |  |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-4-4   | Article 4.-Members' Accounts | Members' accounts; reconciliation of   | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4916, as amended by L. 1998, ch. 64, sec. 34, 74-4917, as amended by L. 1998, ch. 201, sec. 19, 74-4918, as amended by L. 1998, ch. 64, sec. 36, 74-4958, as amended by L. 1998, ch. 64, sec. 69, 74-4958a, as | Members' Accounts. Allows KPERS to avoid rebates or require additional contributions if a reconciliation at the time of death, withdrawal, or retirement reflects an amount less than \$25.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in excessive administrative costs and work for both KPERS and employers.  | In active use  | In active use  |  |
| 80-4-5   | Article 4.-Members' Accounts | Revoked  |                     |                          |  |  |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-4-6   | Article 4.-Members' Accounts | Revoked  |                     |                          |  |  |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-5-1   | Article 5.-Retirement        | Retirement allowance calculation; basis of                                     | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4915   | Retirement. Allows prior service credit in excess of six months to round to a full year, less than six months of service is discarded. Allows removal of final quarter of compensation if it adversely impacts benefit amount.                                       | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the crediting of partial years of service.   | In active use  | In active use  |  |
| 80-5-2   | Article 5.-Retirement        | Revoked  |                     |                          |  |  |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-5-3   | Article 5.-Retirement        | Revoked  |                     |                          |  |  |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-5-6   | Article 5.-Retirement        | Compensation; defined  | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4915   | Retirement. Clarifies definition of compensation with respect to taxable amounts, retirement contributions to 457 and 403b plans, lump-sum leave payouts. Clarifies contributions made on life insurance, expense reimbursement, and Internal Revenue Code maximums. | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding inclusion of compensation for KPERS' purposes.   | In active use  | In active use  |  |
| 80-5-7   | Article 5.-Retirement        | Revoked  |                     |                          |  |  |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-5-9   | Article 5.-Retirement        | Date of birth; proof of  | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4915   | Retirement. Requires proof of birth date prior to receipt of benefits. Lists forms of documentation accepted.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the verification of birth date.  | In active use  | In active use  |  |
| 80-5-10  | Article 5.-Retirement        | Designation of beneficiaries   | Amended             | Sept. 10, 1999           | 1998 Supp. 74-4909   | 1998 Supp. 74-4902(7)  | Retirement. Form of beneficiary designation and type of beneficiary. Prohibits attorneys in fact, conservators, and guardians from changing a beneficiary designation.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty in identifying the legal beneficiary.  | In active use  | In active use  |  |
| 80-5-11  | Article 5.-Retirement        | Designation of beneficiary; recognition upon receipt                           | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4902(7), as amended by L. 1998, ch. 201, sec. 9  | Retirement. Only requires KPERS to recognize beneficiary designations received in the KPERS office.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty in identifying the legal beneficiary.  | In active use  | In active use  |  |
| 80-5-12  | Article 5.-Retirement        | Revoked  |                     |                          |  |  |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-5-13  | Article 5.-Retirement        | Designation of beneficiary; multiple; recognition of                           | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4902(7), as amended by L. 1998, ch. 201, sec. 9  | Retirement. Clarifies that KPERS recognizes the most recently received beneficiary designation.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty in identifying the legal beneficiary.  | In active use  | In active use  |  |
| 80-5-14  | Article 5.-Retirement        | Revoked  |                     |                          |  |  |  |  |  |   |  |  |   |   |   |  |  |  |  |
| 80-5-15  | Article 5.-Retirement        | Retirement date; leaves of absence and vacations, break in service requirement | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4914, as amended by L. 1998, ch. 201, sec. 17, K.S.A. 74-4914a, 74-4914b, 74-4914c, and 74-4914d, K.S.A. 1997 Supp. 74-4937, as amended  | Retirement. Retirement date on the first day of the month following last day on payroll. Prohibits retirement while on leave. Requires termination with employer and break in service.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in additional administrative costs to both KPERS and employers regarding dates of retirement and breaks in service. | In active use  | In active use  |  |
| 80-5-16  | Article 5.-Retirement        | Retirement life certain options; designation of beneficiary                    | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4918, as amended by L. 1998, ch. 64, sec. 36, 74-4964, as amended by L. 1998, ch. 64,  | Retirement. Allows balance of life certain option to be payable to a beneficiary in the death of the individual designated to receive the life certain payments.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in unpaid funds due to inability to identify legal recipient in the event of a beneficiary's death.                 | In active use  | In active use  |  |
| 80-5-17  | Article 5.-Retirement        | Child, defined   | New                 | Jan. 1, 1966             | 74-4909  |  | Retirement. Child includes adopted, illegitimate. But not stepchildren, grandchildren, or unacknowledged illegitimate children of a male member.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when identifying beneficiaries.  | In active use  | In active use  |  |
| 80-5-18  | Article 5.-Retirement        | Designation of beneficiary; filing with institution                            | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4925   | Retirement. Board of regents members who receive death benefits shall use a KPERS form to designate a beneficiary, and such form shall remain at the institution until death.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty in identifying the legal beneficiary.  | In active use  | In active use  |  |
| 80-5-19  | Article 5.-Retirement        | Partial lump sum option; death of member                                       | New                 | Nov. 2, 2001             | 2000 Supp. 74-4909   | 2000 Supp. 74-4918, as amended by L. 2001, Ch. 209, Sec. 15  | Retirement. Allows payment of a partial lump-sum option to a member's spouse or beneficiaries upon death after election but prior to payment.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in unpaid funds due to inability to identify legal recipient in the event of a member's death.                      | In active use  | In active use  |  |

| IDENTIFYING THE RULE AND REGULATION  |   |  |                     |                          |  |  | PURPOSE   | NECESSITY  |  |   | TIES TO FEDERAL PROGRAMS   |  |   |   |   | POTENTIAL FOR REVOCATION  |  |  | ADDITIONAL   |
|--|---|--|---------------------|--------------------------|--|--|---|--|--|---|--|--|---|---|---|---|--|--|--|
| Number   | Article Title   | Rule and Regulation Title  | Type (new, amended) | Effective Date (history) | Authorizing KSA(s)   | Implementing KSA(s)  | Briefly describe the public purpose of the rule and regulation.   | Is the rule and regulation necessary for the implementation and administration of state law, or could it be revoked? | Does the rule and regulation serve an identifiable public purpose in support of state law? | Is the rule and regulation broader than necessary to meet its public purpose? | Is the rule and regulation federally required for state participation in a federal program or authority? | Is the rule and regulation necessary for federal enforcement authority to the State? | If the rule and regulation is federally required, the state and federal program names and the federal agency name | Could federal moneys be in jeopardy under current law if the rule and regulation were repealed? | If federal moneys could be in jeopardy, the approximate amount received for the most recent fiscal year | Briefly describe how revocation would affect Kansans.   | If the rule and regulation is not in active use, would revocation require a change to the authorizing or implementing statute? | If the rule and regulation is not in active use and revocation would require a change to the authorizing or implementing statute, which change(s)? | Additional information necessary to understand the necessity of this rule and regulation |
| <b>KLRD Note:</b> No additional information is expected for revoked or transferred rules and regulations. The agency lightened the type for revoked rules and regulations. |   |  |                     |                          |  |  | limited to 400 characters   | necessary/ could be revoked  | yes/no   | yes/no  | yes/no   | yes/no   |   | yes/no  |   | limited to 600 characters   | in active use/ yes/ no   | limited to 400 characters  | limited to 1,200 characters  |
| 80-5-20  | Article 5.-Retirement   | Partial lump sum option; commencement of monthly benefits  | New                 | Nov. 2, 2001             | 2000 Supp. 74-4909   | 2000 Supp. 74-4918, as amended by L. 2001, Ch. 209, Sec. 15  | Retirement. Monthly benefit payments commence in the same month as payment of the partial lump-sum option.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in increased administrative costs to KPERS and uncertainty regarding receipt of payments by the members.                   | In active use  | In active use  |  |
| 80-5-21  | Article 5.-Retirement   | Partial lump sum option; recovery of debt owed by member to system                               | New                 | Nov. 2, 2001             | 2000 Supp. 74-4909   | 2000 Supp. 74-4918, as amended by L. 2001, Ch. 209, Sec. 15  | Retirement. Allows the system to offset partial lump-sum payment to collect overpaid benefits or debts due to KPERS from the lump-sum.            | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in overpayment of benefits to members.   | In active use  | In active use  |  |
| 80-5-22  | Article 5.-Retirement   | Partial lump sum option; actuarial assumptions used in calculating partial lump sum distribution | New                 | Nov. 2, 2001             | 2000 Supp. 74-4909   | 2000 Supp. 74-4918, as amended by L. 2001, Ch. 209, Sec. 15  | Retirement. Outlines actuarial assumptions used when establishing the present value of the partial lump-sum option.                               | could be revoked   | No   | No  | No   | No   | n/a   | No  | n/a   | While a partial lump-sum option is still calculated using actuarial assumptions, the specific references to assumptions are outdated. | No   | n/a  |  |
| 80-6-1   | Article 6.-Actuarial Tables                                   | Revoked  |                     |                          |  |  |   |  |  |   |  |  |   |   |   |   |  |  |  |
| 80-6-2   | Article 6.-Actuarial Tables                                   | Revoked  |                     |                          |  |  |   |  |  |   |  |  |   |   |   |   |  |  |  |
| 80-6-3   | Article 6.-Actuarial Tables                                   | Revoked  |                     |                          |  |  |   |  |  |   |  |  |   |   |   |   |  |  |  |
| 80-6-4   | Article 6.-Actuarial Tables                                   | Value of workmen's compensation benefits, determination of                                       | Amended             | Jan. 1, 1974             | 74-4909  |  | Actuarial Tables. Provides specifics on calculations of workers compensation benefits and the actuarial tables.                                   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in overpayment of benefits to members.   | In active use  | In active use  |  |
| 80-7-1   | Article 7.-Insurance  | Annual rate of compensation  | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909, as amended by L. 1998, ch. 64, sec. 27     | 1997 Supp. 74-4927, as amended by L. 1998, ch. 201, sec. 29  | Insurance. Clarifies the annual rate of compensation for death and disability purposes.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in overpayment or underpayment of benefits to disabled members or beneficiaries.   | In active use  | In active use  |  |
| 80-8-1   | Article 8.-Board Election                                     | Definitions  | New                 | Aug. 9, 1993             | 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6     | 74-4905, as amended by L. 1992, ch. 218, sec. 1  | Board Election. Provides definitions of terms related to the Board Election regulations.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when administering the Board election.  | In active use  | In active use  |  |
| 80-8-2   | Article 8.-Board Election                                     | Nominations  | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909(12), as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4905(a)(2), as amended by L. 1998, ch. 201, sec. 11                                    | Board Election. Provides procedures for obtaining 100 signatures, submitting qualifications, notice requirements, and voting restrictions.        | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when administering the Board election.  | In active use  | In active use  |  |
| 80-8-3   | Article 8.-Board Election                                     | Voting   | Amended             | Dec. 20, 1996            | 1995 Supp. 74-4909(12)   | 1995 Supp. 74-4905(a)(2)   | Board Election. Provides procedures for voice response voting, paper ballot receipts, and tallying of the paper vote counts.                      | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty or inconsistency when tallying votes for the Board election.  | In active use  | In active use  |  |
| 80-8-4   | Article 8.-Board Election                                     | Election committee   | Amended             | Dec. 20, 1996            | 1995 Supp. 74-4909(12)   | 1995 Supp. 74-4905(a)(2)   | Board Election. Allows the executive secretary to appoint an election committee, provides specifics.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding Board election results.   | In active use  | In active use  |  |
| 80-8-5   | Article 8.-Board Election                                     | Certification  | New                 | Aug. 9, 1993             | 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6     | 74-4905, as amended by L. 1992, ch. 218, sec. 1  | Board Election. Requires the board to certify and declare election results.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding Board election results.   | In active use  | In active use  |  |
| 80-8-6   | Article 8.-Board Election                                     | Time computation   | New                 | Aug. 9, 1993             | 1991 Supp. 74-4909, as amended by L. 1992, ch. 218, sec. 6     | 74-4905, as amended by L. 1992, ch. 218, sec. 1  | Board Election. Clarifies computation of time requirements for the election process.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding Board election results.   | In active use  | In active use  |  |
| 80-8-7   | Article 8.-Board Election                                     | Vacancy  | Amended             | Sept. 10, 1999           | 1997 Supp. 74-4909(12), as amended by L. 1998, ch. 64, sec. 27 | 1997 Supp. 74-4905(a)(2), as amended by L. 1998, ch. 201, sec. 11                                    | Board Election. Provides processes to fill a board vacancy.   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the filling of a vacated Board seat.  | In active use  | In active use  |  |
| 80-9-1   | Article 9.-Investments  | Common stock investment program  | New                 | Nov. 2, 2001             | 2000 Supp. 74-4909   | 2000 Supp. 74-4921, as amended by L. 2001, Ch. 1, Sec. 1 and as amended by                           | Investments. Defines "book value" and "adjusted original cost."   | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding investments in common stock.  | In active use  | In active use  |  |
| 80-9-2   | Article 9.-Investments  | Alternative investment program   | New                 | Nov. 2, 2001             | 2000 Supp. 74-4909   | 2000 Supp. 74-4921, as amended by L. 2001, Ch. 1, Sec. 1 and as amended by L. 2001, Ch. 209, Sec. 20 | Investments. Defines "total of such alternative investments" and "total investment assets of the fund" with relations to alternative investments. | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding investments in alternative investments.   | In active use  | In active use  |  |
| 80-45-1  | Article 45.-State School Retirement System; Retirement Credit | Certification of teachers required to receive service credit                                     |                     |                          | 72-5506  |  | State School Retirement System; Retirement Credit. To receive KPERS service credit, a teacher must hold a valid certificate.                      | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding coverage of school employees who are not certified teachers.                                      | In active use  | In active use  |  |
| 80-45-2  | Article 45.-State School Retirement System; Retirement Credit | Substitute school service defined  |                     |                          | 72-5506  |  | State School Retirement System; Retirement Credit. Clarifies a retired school employees' participation as a substitute or temporary teacher.      | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty regarding the treatment of retired school employees who return to work.                                     | In active use  | In active use  |  |
| 80-45-3  | Article 45.-State School Retirement System; Retirement Credit | Teaching day defined   |                     |                          | 72-5506  |  | State School Retirement System; Retirement Credit. Defines a teaching day.  | necessary  | Yes  | No  | No   | No   | n/a   | No  | n/a   | May result in uncertainty when crediting service to school employees.   | In active use  | In active use  |  |



