

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 365**

Introduced by Synowiecki, 7

Read first time January 12, 2007

Committee: Nebraska Retirement Systems

A BILL

1 FOR AN ACT relating to the Judges Retirement Act; to amend section  
2 24-708, Revised Statutes Cumulative Supplement, 2006;  
3 to provide requirements for the reduction of payments  
4 for early retirement as prescribed; and to repeal the  
5 original section.

6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 24-708, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           24-708 (1) Except as provided in section 24-721, a judge  
4 may retire upon reaching the age of sixty-five years and upon  
5 making application to the board. Upon retiring each such judge  
6 shall receive retirement annuities as provided in section 24-710.

7           (2) Beginning on the effective date of this act, except  
8 as provided in section 24-721, a judge may retire upon reaching  
9 the age of sixty-two years and elect to receive a reduced monthly  
10 retirement income in lieu of a deferred vested annuity. The judge  
11 may request that the reduced monthly retirement income commence at  
12 any date, beginning on the first day of the month following the  
13 actual retirement date and ending on the normal retirement date.  
14 The amount of the monthly retirement income shall be calculated  
15 based on the length of creditable service and average compensation  
16 at the actual retirement date and shall be reduced when the  
17 payments commence prior to the normal retirement date to an amount  
18 that is actuarially equivalent to the deferred vested annuity  
19 payable at the normal retirement date. Such amount shall then  
20 be reduced by nine percent. If a judge retires at the age of  
21 sixty-three years, such amount shall be reduced by six percent,  
22 and if a judge retires at the age of sixty-four years, such amount  
23 shall be reduced by three percent.

24           ~~(2)~~ (3) Except as provided in section 24-721, a judge  
25 may retire upon reaching the age of fifty-five years and elect to

1 receive a reduced monthly retirement income in lieu of a deferred  
2 vested annuity. The judge may request that the reduced monthly  
3 retirement income commence at any date, beginning on the first day  
4 of the month following the actual retirement date and ending on the  
5 normal retirement date. The amount of the monthly retirement income  
6 shall be calculated based on the length of creditable service and  
7 average compensation at the actual retirement date and shall be  
8 reduced when the payments commence prior to the normal retirement  
9 date to an amount that is actuarially equivalent to the deferred  
10 vested annuity payable at the normal retirement date.

11 ~~(3)~~ (4) Payment of any benefit provided under the Judges  
12 Retirement Act may not be deferred later than April 1 of the year  
13 following the year in which the judge has both attained at least  
14 age seventy and one-half years and terminated his or her employment  
15 as a judge.

16 ~~(4)~~ (5) The effective date of retirement payments shall  
17 be the first day of the month following (a) the date a member  
18 qualifies for retirement as provided in this section or (b) the  
19 date upon which a member's request for retirement is received on  
20 an application form provided by the retirement system, whichever  
21 is later. An application may be filed no more than ninety days in  
22 advance of qualifying for retirement.

23 ~~(5)~~ (6) The board shall make reasonable efforts to locate  
24 the member or the member's beneficiary and distribute benefits by  
25 the required beginning date as specified by section 401(a)(9) of

1 the Internal Revenue Code and the regulations issued thereunder. If  
2 the board is unable to make such a distribution, the benefit shall  
3 be distributed pursuant to the Uniform Disposition of Unclaimed  
4 Property Act and no amounts may be applied to increase the benefits  
5 any member would otherwise receive under the Judges Retirement Act.

6           Sec. 2. Original section 24-708, Revised Statutes  
7 Cumulative Supplement, 2006, is repealed.