

67A.600 Fund to supersede prior pension funds -- Increase in retirement annuity.

- (1) It is the intention of KRS 67A.360 to 67A.690 that the fund herein created shall supersede and take the place of the pension fund established under KRS 95.851 to 95.884 inclusive, for cities of the second class becoming urban-county governments, which sections shall be without force and effect, insofar as applicable to such urban-county governments, but said sections shall remain in full force and effect as relates to other cities of the second class.
- (2) The fund created by KRS 67A.360 to 67A.690 shall succeed to and assume as of July 1, 1974, all assets of such pension funds, and shall continue to make payment of all annuities, pensions, and benefits granted by superseded pension funds at the rates previously fixed and under the conditions previously in effect, except as provided in subsection (3) of this section.
- (3)
 - (a) Persons who retired under the provisions of KRS 95.520 to 95.620, or 95.851 to 95.884 in a city which subsequently was merged into an urban-county government, or their surviving spouses or eligible children, shall receive an upward adjustment in their retirement or survivor's annuity by calculation of a two percent (2%) annual increase compounded, from July 1, 1974, until July 15, 1980, and annual increases compounded, from July 15, 1980, until July 15, 1990, in the same percentage amount by which the pension board increased other pensions pursuant to KRS 67A.690(1) for those same years. The survivor's annuity shall be determined as if the retired member's annuity had been increased annually by two percent (2%) compounded from July 1, 1974, until July 15, 1980, and annual increases compounded, from July 15, 1980, until July 15, 1990, in the same percentage amount by which the pension board increased other pensions pursuant to KRS 67A.690(1) for those same years. For purposes of calculation, the member's or survivor's first increase shall occur July 1, 1974, but only after the member was retired for one (1) year or attained age fifty-one (51), whichever was later, or would have been retired one (1) year or reached the age of fifty-one (51), whichever was later, in the event the member died before being retired one (1) year or reaching the age of fifty-one (51), unless retirement was under disability, in which case age and length of retirement criteria shall not apply.
 - (b) After calculation of the new annuity level, persons affected by this section shall be granted the same annual increase granted to retirees pursuant to KRS 67A.690(1), and the annuity on which this cost-of-living increment is based shall be the annuity level reached through the addition of annual compounded increases calculated pursuant to paragraph (a) of this subsection. If the member has not attained the age of fifty-one (51) or would not have attained the age of fifty-one (51) in the event the member is deceased, then the member or survivor shall receive increases of two percent (2%) compounded annually until the member attains or would have attained age fifty-one (51), at which time the same annual increase granted to retirees who retired pursuant to KRS 67A.690(1) shall apply. In

addition, each annuitant or surviving spouse or eligible child shall receive a one-time lump-sum payment of five hundred dollars (\$500).

- (4) The provisions of subsection (3) of this section shall not apply to any retiree or surviving spouse who receives a minimum retirement annuity, annually adjusted, pursuant to 1972 Acts Chapter 185, Section 1, but each such retiree or surviving spouse shall receive a one-time lump-sum payment of five hundred dollars (\$500). If, in the future, any retiree or spouse annuity granted pursuant to this section falls below the adjusted minimum annuity, the affected retiree or spouse shall be granted, from that time forward, the adjusted minimum annuity calculated pursuant to 1972 Acts Chapter 185, Section 1.

Effective: July 13, 1990

History: Amended 1990 Ky. Acts ch. 189, sec. 10, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 353, sec. 1, effective July 15, 1988. -- Amended 1980 Ky. Acts ch. 188, sec. 47, effective July 15, 1980. -- Created 1974 Ky. Acts ch. 106, sec. 25, effective July 1, 1974.