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FIRST REPRINT

A.B. 222

ASSEMBLY BILL NO. 222—ASSEMBLYMEN CARTER, PETERS, LA RUE HATCH, ANDERSON, TORRES; DURAN, MONROE-MORENO, SUMMERS-ARMSTRONG, TAYLOR AND THOMAS

FEBRUARY 23, 2023

JOINT SPONSOR: SENATOR NGUYEN

Referred to Committee on Government Affairs

SUMMARY—Makes changes to the computation of credit for service for certain members of the Public Employees’ Retirement System. (BDR 23-752)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the Public Employees’ Retirement System; revising the computation of credit for service for certain members of the Public Employees’ Retirement System who are employed by a school district; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes a method for calculating the credit for service received
2 by a public employee who is a member of the Public Employees’ Retirement
3 System. (NRS 286.470-286.505) Under existing law, a school district employee
4 who is a member of the System receives a full year of service credit if the employee
5 works full-time for the full school year. (NRS 286.501) **Section 2** of this bill
6 provides for an employee of a school district who is a member of the Public
7 Employees’ Retirement System to receive a full year of service credit if the
8 employee works at least 900 hours in a school year. **Section 1** of this bill makes a
9 conforming change to allow for the computation of service credit in **section 2**.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 286.481 is hereby amended to read as follows:
2 286.481 A member shall not be credited with service for:



* A B 2 2 2 R 1 *

1 1. Except as otherwise provided in NRS 286.385, leave of
2 absence without pay;

3 2. Overtime work;

4 3. Employment in a position which does not qualify the
5 member for participation in the System;

6 4. ~~[More]~~ *Except as otherwise provided in NRS 286.501, more*
7 than 1 day within a day, 1 month within a month, or 1 year of
8 service in any 12-month period; or

9 5. Any period for which compensation is not received by the
10 member unless specifically otherwise provided in this chapter.

11 **Sec. 2.** NRS 286.501 is hereby amended to read as follows:

12 286.501 Each member who is employed by a school district for
13 less than 12 months per school year and each member of the
14 professional staff of the Nevada System of Higher Education
15 employed for the academic year who is employed for less than 12
16 months per fiscal year is credited with service as follows:

17 1. Service is credited on the basis of a full year if the member
18 works ~~[full-time for the full]~~ *at least 900 hours in a* school year.

19 2. Employment for ~~[a-part-of]~~ *less than 900 hours in* a school
20 year is credited on a ratio of one and one-third days for each day
21 worked, but credit may not be given in advance or until the
22 appropriate period has expired.

23 3. A full year of service is not credited until the full 12-month
24 period has expired. If the employee begins work under a new
25 contract before the expiration of the 12-month period for the old
26 contract, credit must be granted for the period of overlap, as
27 certified by the school district, at the first period in which there is a
28 lapse in service.

29 4. Service credit under this section must be computed
30 according to:

31 (a) The school year for school district employees.

32 (b) The fiscal year for members of the professional staff of the
33 Nevada System of Higher Education.

34 5. A member receives full credit while on sabbatical leave if
35 the public employer certifies that the compensation and
36 contributions reported for the member are the same as if the member
37 were employed full-time. If the employer does not so certify, the
38 member receives credit in the proportion that the member's actual
39 compensation bears to the member's previous compensation.

40 ➤ No member may receive less credit under this section than was
41 provided under the law in force when the credit was earned.

42 **Sec. 3.** This act becomes effective on July 1, 2023.

