

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 17

FINAL READING

Introduced by Kolterman, 24.

Read first time January 07, 2021

Committee: Nebraska Retirement Systems

1 A BILL FOR AN ACT relating to retirement; to amend sections 24-703,
2 33-106.02, 33-123, 33-124, 33-125, 33-126.02, 33-126.03, 33-126.06,
3 and 79-966.01, Reissue Revised Statutes of Nebraska, and sections
4 24-701, 24-710, 25-2804, 79-966, and 81-2017, Revised Statutes
5 Cumulative Supplement, 2020; to change fees and distribution of fees
6 for the Nebraska Retirement Fund for Judges; to provide for
7 transfers to the Nebraska Retirement Fund for Judges; to change
8 actuarial valuation provisions and amortization periods in
9 retirement systems under the Judges Retirement Act, the School
10 Employees Retirement Act, and the Nebraska State Patrol Retirement
11 Act; to eliminate obsolete provisions; to harmonize provisions; to
12 repeal the original sections; and to declare an emergency.

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

1 Section 1. Section 24-701, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 24-701 For purposes of the Judges Retirement Act, unless the context
4 otherwise requires:

5 (1)(a) Actuarial equivalence means the equality in value of the
6 aggregate amounts expected to be received under different forms of
7 payment.

8 (b) For a judge hired prior to July 1, 2017, the determinations are
9 to be based on the 1994 Group Annuity Mortality Table reflecting sex-
10 distinct factors blended using seventy-five percent of the male table and
11 twenty-five percent of the female table. An interest rate of eight
12 percent per annum shall be reflected in making these determinations.

13 (c) For a judge hired on or after July 1, 2017, or rehired on or
14 after July 1, 2017, after termination of employment and being paid a
15 retirement benefit, the determinations shall be based on a unisex
16 mortality table and an interest rate specified by the board. Both the
17 mortality table and the interest rate shall be recommended by the actuary
18 and approved by the board following an actuarial experience study, a
19 benefit adequacy study, or a plan valuation. The mortality table,
20 interest rate, and actuarial factors in effect on the judge's retirement
21 date will be used to calculate actuarial equivalency of any retirement
22 benefit. Such interest rate may be, but is not required to be, equal to
23 the assumed rate of return;

24 (2) Beneficiary means a person so designated by a judge in the last
25 designation of beneficiary on file with the board or, if no designated
26 person survives or if no designation is on file, the estate of such
27 judge;

28 (3) Board means the Public Employees Retirement Board;

29 (4)(a) Compensation means the statutory salary of a judge or the
30 salary being received by such judge pursuant to law. Compensation does
31 not include compensation for unused sick leave or unused vacation leave

1 converted to cash payments, insurance premiums converted into cash
2 payments, reimbursement for expenses incurred, fringe benefits, per
3 diems, or bonuses for services not actually rendered, including, but not
4 limited to, early retirement inducements, cash awards, and severance pay,
5 except for retroactive salary payments paid pursuant to court order,
6 arbitration, or litigation and grievance settlements. Compensation
7 includes overtime pay, member retirement contributions, and amounts
8 contributed by the member to plans under sections 125 and 457 of the
9 Internal Revenue Code as defined in section 49-801.01 or any other
10 section of the code which defers or excludes such amounts from income.

11 (b) Compensation in excess of the limitations set forth in section
12 401(a)(17) of the Internal Revenue Code as defined in section 49-801.01
13 shall be disregarded. For an employee who was a member of the retirement
14 system before the first plan year beginning after December 31, 1995, the
15 limitation on compensation shall not be less than the amount which was
16 allowed to be taken into account under the retirement system as in effect
17 on July 1, 1993;

18 (5) Creditable service means the total number of years served as a
19 judge, including prior service, military service, and current service,
20 computed to the nearest one-twelfth year. For current service prior to
21 the time that the member has contributed the required percentage of
22 salary until the maximum benefit as limited by section 24-710 has been
23 earned, creditable service does not include current service for which
24 member contributions are not made or are withdrawn and not repaid;

25 (6) Current benefit means the initial benefit increased by all
26 adjustments made pursuant to the Judges Retirement Act;

27 (7)(a) Current service means the period of service (i) any judge of
28 the Supreme Court or judge of the district court serves in such capacity
29 from and after January 3, 1957, (ii)(A) any judge of the Nebraska
30 Workmen's Compensation Court served in such capacity from and after
31 September 20, 1957, and prior to July 17, 1986, and (B) any judge of the

1 Nebraska Workers' Compensation Court serves in such capacity on and after
2 July 17, 1986, (iii) any county judge serves in such capacity from and
3 after January 5, 1961, (iv) any judge of a separate juvenile court serves
4 in such capacity, (v) any judge of the municipal court served in such
5 capacity subsequent to October 23, 1967, and prior to July 1, 1985, (vi)
6 any judge of the county court or associate county judge serves in such
7 capacity subsequent to January 4, 1973, (vii) any clerk magistrate, who
8 was an associate county judge and a member of the fund at the time of
9 appointment as a clerk magistrate, serves in such capacity from and after
10 July 1, 1986, and (viii) any judge of the Court of Appeals serves in such
11 capacity on or after September 6, 1991.

12 (b) Current service shall not be deemed to be interrupted by (i)
13 temporary or seasonal suspension of service that does not terminate the
14 employee's employment, (ii) leave of absence authorized by the employer
15 for a period not exceeding twelve months, (iii) leave of absence because
16 of disability, or (iv) military service, when properly authorized by the
17 board. Current service does not include any period of disability for
18 which disability retirement benefits are received under section 24-709;

19 (8) Final average compensation for a judge who becomes a member
20 prior to July 1, 2015, means the average monthly compensation for the
21 three twelve-month periods of service as a judge in which compensation
22 was the greatest or, in the event of a judge serving less than three
23 twelve-month periods, the average monthly compensation for such judge's
24 period of service. Final average compensation for a judge who becomes a
25 member on and after July 1, 2015, means the average monthly compensation
26 for the five twelve-month periods of service as a judge in which
27 compensation was the greatest or, in the event of a judge serving less
28 than five twelve-month periods, the average monthly compensation for such
29 judge's period of service;

30 (9) Fund means the Nebraska Retirement Fund for Judges;

31 (10) Future member means a judge who first served as a judge on or

1 after December 25, 1969, or means a judge who first served as a judge
2 prior to December 25, 1969, who elects to become a future member on or
3 before June 30, 1970, as provided in ~~subsection (8) of section 24-703 or~~
4 section 24-710.01;

5 (11) Hire date or date of hire means the first day of compensated
6 service subject to retirement contributions;

7 (12) Initial benefit means the retirement benefit calculated at the
8 time of retirement;

9 (13) Judge means and includes (a) all duly elected or appointed
10 Chief Justices or judges of the Supreme Court and judges of the district
11 courts of Nebraska who serve in such capacity on and after January 3,
12 1957, (b)(i) all duly appointed judges of the Nebraska Workmen's
13 Compensation Court who served in such capacity on and after September 20,
14 1957, and prior to July 17, 1986, and (ii) judges of the Nebraska
15 Workers' Compensation Court who serve in such capacity on and after July
16 17, 1986, (c) judges of separate juvenile courts, (d) judges of the
17 county courts of the respective counties who serve in such capacity on
18 and after January 5, 1961, (e) judges of the county court and clerk
19 magistrates who were associate county judges and members of the fund at
20 the time of their appointment as clerk magistrates, (f) judges of
21 municipal courts established by Chapter 26, article 1, who served in such
22 capacity on and after October 23, 1967, and prior to July 1, 1985, and
23 (g) judges of the Court of Appeals;

24 (14) Member means a judge eligible to participate in the retirement
25 system established under the Judges Retirement Act;

26 (15) Military service means active service of (a) any judge of the
27 Supreme Court or judge of the district court in any of the armed forces
28 of the United States during a war or national emergency prior or
29 subsequent to September 18, 1955, if such service commenced while such
30 judge was holding the office of judge, (b) any judge of the Nebraska
31 Workmen's Compensation Court or the Nebraska Workers' Compensation Court

1 in any of the armed forces of the United States during a war or national
2 emergency prior or subsequent to September 20, 1957, if such service
3 commenced while such judge was holding the office of judge, (c) any judge
4 of the municipal court in any of the armed forces of the United States
5 during a war or national emergency prior or subsequent to October 23,
6 1967, and prior to July 1, 1985, if such service commenced while such
7 judge was holding the office of judge, (d) any judge of the county court
8 or associate county judge in any of the armed forces of the United States
9 during a war or national emergency prior or subsequent to January 4,
10 1973, if such service commenced while such judge was holding the office
11 of judge, (e) any clerk magistrate, who was an associate county judge and
12 a member of the fund at the time of appointment as a clerk magistrate, in
13 any of the armed forces of the United States during a war or national
14 emergency on or after July 1, 1986, if such service commenced while such
15 clerk magistrate was holding the office of clerk magistrate, and (f) any
16 judge of the Court of Appeals in any of the armed forces of the United
17 States during a war or national emergency on or after September 6, 1991,
18 if such service commenced while such judge was holding the office of
19 judge. The board shall have the power to determine when a national
20 emergency exists or has existed for the purpose of applying this
21 definition and provision;

22 (16) Normal form annuity means a series of equal monthly payments
23 payable at the end of each calendar month during the life of a retired
24 judge as provided in sections 24-707 and 24-710, except as provided in
25 section 42-1107. The first payment shall include all amounts accrued
26 since the effective date of the award of the annuity. The last payment
27 shall be at the end of the calendar month in which such judge dies. If at
28 the time of death the amount of annuity payments such judge has received
29 is less than contributions to the fund made by such judge, plus regular
30 interest, the difference shall be paid to the beneficiary or estate;

31 (17) Normal retirement date means the first day of the month

1 following attainment of age sixty-five;

2 (18) Original member means a judge who first served as a judge prior
3 to December 25, 1969, who does not elect to become a future member
4 pursuant to ~~subsection (8) of section 24-703 or section 24-710.01~~, and
5 who was retired on or before December 31, 1992;

6 (19) Plan year means the twelve-month period beginning on July 1 and
7 ending on June 30 of the following year;

8 (20) Prior service means all the periods of time any person has
9 served as a (a) judge of the Supreme Court or judge of the district court
10 prior to January 3, 1957, (b) judge of the county court prior to January
11 5, 1961, (c) judge of the Nebraska Workmen's Compensation Court prior to
12 September 20, 1957, (d) judge of the separate juvenile court, or (e)
13 judge of the municipal court prior to October 23, 1967;

14 (21) Regular interest means interest fixed at a rate equal to the
15 daily treasury yield curve for one-year treasury securities, as published
16 by the Secretary of the Treasury of the United States, that applies on
17 July 1 of each year, which may be credited monthly, quarterly,
18 semiannually, or annually as the board may direct;

19 (22) Required beginning date means, for purposes of the deferral of
20 distributions, April 1 of the year following the calendar year in which a
21 member has:

22 (a)(i) Terminated employment with the State of Nebraska; and

23 (ii)(A) Attained at least seventy and one-half years of age for a
24 member who attained seventy and one-half years of age on or before
25 December 31, 2019; or

26 (B) Attained at least seventy-two years of age for a member who
27 attained seventy and one-half years of age on or after January 1, 2020;
28 or

29 (b)(i) Terminated employment with the State of Nebraska; and

30 (ii) Otherwise reached the date specified by section 401(a)(9) of
31 the Internal Revenue Code and the regulations issued thereunder;

1 (23) Retirement application means the form approved and provided by
2 the retirement system for acceptance of a member's request for either
3 regular or disability retirement;

4 (24) Retirement date means (a) the first day of the month following
5 the date upon which a member's request for retirement is received on a
6 retirement application if the member is eligible for retirement and has
7 terminated employment or (b) the first day of the month following
8 termination of employment if the member is eligible for retirement and
9 has filed an application but has not yet terminated employment;

10 (25) Retirement system or system means the Nebraska Judges
11 Retirement System as provided in the Judges Retirement Act;

12 (26) Surviving spouse means (a) the spouse married to the member on
13 the date of the member's death or (b) the spouse or former spouse of the
14 member if survivorship rights are provided under a qualified domestic
15 relations order filed with the board pursuant to the Spousal Pension
16 Rights Act. The spouse or former spouse shall supersede the spouse
17 married to the member on the date of the member's death as provided under
18 a qualified domestic relations order. If the benefits payable to the
19 spouse or former spouse under the qualified domestic relations order are
20 less than the value of benefits entitled to the surviving spouse, the
21 spouse married to the member on the date of the member's death shall be
22 the surviving spouse for the balance of the benefits; and

23 (27) Termination of employment occurs on the date on which the State
24 Court Administrator's office determines that the judge's employer-
25 employee relationship with the State of Nebraska is dissolved. The State
26 Court Administrator's office shall notify the board of the date on which
27 such a termination has occurred. Termination of employment does not
28 include ceasing employment as a judge if the judge returns to regular
29 employment as a judge or is employed on a regular basis by another agency
30 of the State of Nebraska and there are less than one hundred twenty days
31 between the date when the judge's employer-employee relationship ceased

1 and the date when the employer-employee relationship recommences. It is
2 the responsibility of the employer that is involved in the termination of
3 employment to notify the board of such change in employment and provide
4 the board with such information as the board deems necessary. If the
5 board determines that termination of employment has not occurred and a
6 retirement benefit has been paid to a member of the retirement system
7 pursuant to section 24-710, the board shall require the member who has
8 received such benefit to repay the benefit to the retirement system.

9 Sec. 2. Section 24-703, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 24-703 (1) Each original member shall contribute monthly four
12 percent of his or her monthly compensation to the fund until the maximum
13 benefit as limited in subsection (1) of section 24-710 has been earned.
14 It shall be the duty of the Director of Administrative Services in
15 accordance with subsection (7) ~~(10)~~ of this section to make a deduction
16 of four percent on the monthly payroll of each original member who is a
17 judge of the Supreme Court, a judge of the Court of Appeals, a judge of
18 the district court, a judge of a separate juvenile court, a judge of the
19 county court, a clerk magistrate of the county court who was an associate
20 county judge and a member of the fund at the time of his or her
21 appointment as a clerk magistrate, or a judge of the Nebraska Workers'
22 Compensation Court showing the amount to be deducted and its credit to
23 the fund. The Director of Administrative Services and the State Treasurer
24 shall credit the four percent as shown on the payroll and the amounts
25 received from the various counties to the fund and remit the same to the
26 director in charge of the judges retirement system who shall keep an
27 accurate record of the contributions of each judge.

28 (2)(a) In addition to the contribution required under subdivision
29 (c) of this subsection, beginning on July 1, 2004, each future member who
30 became a member prior to July 1, 2015, and who has not elected to make
31 contributions and receive benefits as provided in section 24-703.03 shall

1 contribute monthly six percent of his or her monthly compensation to the
2 fund until the maximum benefit as limited in subsection (2) of section
3 24-710 has been earned. After the maximum benefit as limited in
4 subsection (2) of section 24-710 has been earned, such future member
5 shall make no further contributions to the fund, except that (i) any time
6 the maximum benefit is changed, a future member who has previously earned
7 the maximum benefit as it existed prior to the change shall contribute
8 monthly six percent of his or her monthly compensation to the fund until
9 the maximum benefit as changed and as limited in subsection (2) of
10 section 24-710 has been earned and (ii) such future member shall continue
11 to make the contribution required under subdivision (c) of this
12 subsection.

13 (b) In addition to the contribution required under subdivision (c)
14 of this subsection, beginning on July 1, 2004, a judge who became a
15 member prior to July 1, 2015, and who first serves as a judge on or after
16 July 1, 2004, or a future member who became a member prior to July 1,
17 2015, and who elects to make contributions and receive benefits as
18 provided in section 24-703.03 shall contribute monthly eight percent of
19 his or her monthly compensation to the fund until the maximum benefit as
20 limited by subsection (2) of section 24-710 has been earned. In addition
21 to the contribution required under subdivision (c) of this subsection,
22 after the maximum benefit as limited in subsection (2) of section 24-710
23 has been earned, such judge or future member shall contribute monthly
24 four percent of his or her monthly compensation to the fund for the
25 remainder of his or her active service.

26 (c) Beginning on July 1, 2009, a member or judge described in
27 subdivisions (a) and (b) of this subsection shall contribute monthly an
28 additional one percent of his or her monthly compensation to the fund.

29 (d) Beginning on July 1, 2015, a judge who first serves as a judge
30 on or after such date shall contribute monthly ten percent of his or her
31 monthly compensation to the fund.

1 (e) It shall be the duty of the Director of Administrative Services
2 to make a deduction on the monthly payroll of each such future member who
3 is a judge of the Supreme Court, a judge of the Court of Appeals, a judge
4 of the district court, a judge of a separate juvenile court, a judge of
5 the county court, a clerk magistrate of the county court who was an
6 associate county judge and a member of the fund at the time of his or her
7 appointment as a clerk magistrate, or a judge of the Nebraska Workers'
8 Compensation Court showing the amount to be deducted and its credit to
9 the fund. This shall be done each month. The Director of Administrative
10 Services and the State Treasurer shall credit the amount as shown on the
11 payroll and the amounts received from the various counties to the fund
12 and remit the same to the director in charge of the judges retirement
13 system who shall keep an accurate record of the contributions of each
14 judge.

15 (3)(a) (3) Except as otherwise provided in this subsection, a
16 Nebraska Retirement Fund for Judges fee of six dollars through June 30,
17 2021, eight dollars beginning July 1, 2021, through June 30, 2022, nine
18 dollars beginning July 1, 2022, through June 30, 2023, ten dollars
19 beginning July 1, 2023, through June 30, 2024, eleven dollars beginning
20 July 1, 2024, through June 30, 2025, and twelve dollars beginning July 1,
21 2025, shall be taxed as costs in each (i) (a) civil cause of action,
22 criminal cause of action, traffic misdemeanor or infraction, and city or
23 village ordinance violation filed in the district courts, the county
24 courts, and the separate juvenile courts, (ii) (b) filing in the district
25 court of an order, award, or judgment of the Nebraska Workers'
26 Compensation Court or any judge thereof pursuant to section 48-188, (iii)
27 (c) appeal or other proceeding filed in the Court of Appeals, and (iv)
28 (d) original action, appeal, or other proceeding filed in the Supreme
29 Court. In county courts a sum shall be charged which is equal to ten
30 percent of each fee provided by sections 33-125, 33-126.02, 33-126.03,
31 and 33-126.06, rounded to the nearest even dollar. No judges retirement

1 fee shall be charged for filing a report pursuant to sections 33-126.02
2 and 33-126.06.

3 (b) The fee increases described in subdivision (a) of this
4 subsection shall not be taxed as a cost in any criminal cause of action,
5 traffic misdemeanor or infraction, or city or village ordinance violation
6 filed in the district court or the county court. The fee on such criminal
7 causes of action, traffic misdemeanors or infractions, or city or village
8 ordinance violations shall remain six dollars on and after July 1, 2021.

9 (c) When collected by the clerk of the district or county court,
10 such fees shall be remitted to the State Treasurer within ten days after
11 the close of each calendar month for credit to the Nebraska Retirement
12 Fund for Judges. In addition, information regarding collection of court
13 fees shall be paid and information submitted to the director in charge of
14 the judges retirement system ~~on forms prescribed by the board~~ by the
15 State Court Administrator ~~clerk~~ within ten days after the close of each
16 calendar month ~~quarter~~.

17 (d) The board may charge a late administrative processing fee not to
18 exceed twenty-five dollars if the information is not timely received or
19 the money is delinquent. In addition, the board may charge a late fee of
20 thirty-eight thousandths of one percent of the amount required to be
21 submitted pursuant to this section for each day such amount has not been
22 received. Such late fees shall be remitted to the director who shall
23 promptly thereafter remit such fees ~~the same~~ to the State Treasurer for
24 credit to the fund.

25 (e) No Nebraska Retirement Fund for Judges fee which is
26 uncollectible for any reason shall be waived by a county judge as
27 provided in section 29-2709.

28 (4) All expenditures from the fund shall be authorized by voucher in
29 the manner prescribed in section 24-713. The fund shall be used for the
30 payment of all annuities and other benefits to members and their
31 beneficiaries and for the expenses of administration.

1 ~~(5)(a) Prior to July 1, 2021:~~

2 ~~(5) The fund shall consist of the total fund as of December 25,~~
3 ~~1969, the contributions of members as provided in this section, all~~
4 ~~supplementary court fees as provided in subsection (3) of this section,~~
5 ~~and any required contributions of the state.~~

6 ~~(6) Not later than January 1 of each year, the State Treasurer shall~~
7 ~~transfer to the fund the amount certified by the board as being necessary~~
8 ~~to pay the cost of any benefits accrued during the fiscal year ending the~~
9 ~~previous June 30 in excess of member contributions for that fiscal year~~
10 ~~and court fees as provided in subsection (3) of this section and fees~~
11 ~~pursuant to sections 25-2804, 33-103, 33-103.01, 33-106, 33-106.02,~~
12 ~~33-123, 33-125, 33-126.02, 33-126.03, and 33-126.06 and directed to be~~
13 ~~remitted to the fund, if any, for that fiscal year plus any required~~
14 ~~contributions of the state as provided in subsection (9) of this section.~~

15 ~~(7) Benefits under the retirement system to members or to their~~
16 ~~beneficiaries shall be paid from the fund.~~

17 ~~(8) Any member who is making contributions to the fund on December~~
18 ~~25, 1969, may, on or before June 30, 1970, elect to become a future~~
19 ~~member by delivering written notice of such election to the board.~~

20 ~~(i) Beginning (9) Not later than January 1 of each year, the State~~
21 ~~Treasurer shall transfer to the fund an amount, determined on the basis~~
22 ~~of an actuarial valuation as of the previous June 30 and certified by the~~
23 ~~board, to fully fund the unfunded accrued liabilities of the retirement~~
24 ~~system as of June 30, 1988, by level payments up to January 1, 2000. Such~~
25 ~~valuation shall be on the basis of actuarial assumptions recommended by~~
26 ~~the actuary, approved by the board, and kept on file with the board. For~~
27 ~~the fiscal year beginning July 1, 2013, and each fiscal year thereafter,~~
28 ~~the board shall cause an annual actuarial valuation to be performed that~~
29 ~~will value the plan assets for the year and ascertain the contributions~~
30 ~~required for such fiscal year. The , the actuary for the board shall~~
31 ~~perform an actuarial valuation of the system on the basis of actuarial~~

1 assumptions recommended by the actuary, approved by the board, and kept
2 on file with the board using the entry age actuarial cost method. Under
3 this method, the actuarially required funding rate is equal to the normal
4 cost rate, plus the contribution rate necessary to amortize the unfunded
5 actuarial accrued liability on a level percentage of salary basis. The
6 normal cost under this method shall be determined for each individual
7 member on a level percentage of salary basis. The normal cost amount is
8 then summed for all members; -

9 (ii) Beginning July 1, 2006, any existing unfunded liabilities shall
10 be reinitialized and amortized over a thirty-year period, and during each
11 subsequent actuarial valuation through June 30, 2021, changes in the
12 unfunded ~~funded~~ actuarial accrued liability due to changes in benefits,
13 actuarial assumptions, the asset valuation method, or actuarial gains or
14 losses shall be measured and amortized over a thirty-year period
15 beginning on the valuation date of such change; -

16 (iii) If the unfunded actuarial accrued liability under the entry
17 age actuarial cost method is zero or less than zero on an actuarial
18 valuation date, then all prior unfunded actuarial accrued liabilities
19 shall be considered fully funded and the unfunded actuarial accrued
20 liability shall be reinitialized and amortized over a thirty-year period
21 as of the actuarial valuation date; and -

22 (iv) If the actuarially required contribution rate exceeds the rate
23 of all contributions required pursuant to the Judges Retirement Act,
24 there shall be a supplemental appropriation sufficient to pay for the
25 differences between the actuarially required contribution rate and the
26 rate of all contributions required pursuant to the Judges Retirement Act.

27 (b) Beginning July 1, 2021, and each fiscal year thereafter:

28 (i) The board shall cause an annual actuarial valuation to be
29 performed that will value the plan assets for the year and ascertain the
30 contributions required for such fiscal year. The actuary for the board
31 shall perform an actuarial valuation of the system on the basis of

1 actuarial assumptions recommended by the actuary, approved by the board,
2 and kept on file with the board using the entry age actuarial cost
3 method. Under such method, the actuarially required funding rate is equal
4 to the normal cost rate, plus the contribution rate necessary to amortize
5 the unfunded actuarial accrued liability on a level percentage of salary
6 basis. The normal cost under such method shall be determined for each
7 individual member on a level percentage of salary basis. The normal cost
8 amount is then summed for all members;

9 (ii) Any changes in the unfunded actuarial accrued liability due to
10 changes in benefits, actuarial assumptions, the asset valuation method,
11 or actuarial gains or losses shall be measured and amortized over a
12 twenty-five-year period beginning on the valuation date of such change;

13 (iii) If the unfunded actuarial accrued liability under the entry
14 age actuarial cost method is zero or less than zero on an actuarial
15 valuation date, then all prior unfunded actuarial accrued liabilities
16 shall be considered fully funded and the unfunded actuarial accrued
17 liability shall be reinitialized and amortized over a twenty-five-year
18 period as of the actuarial valuation date; and

19 (iv) If the actuarially required contribution rate exceeds the rate
20 of all contributions required pursuant to the Judges Retirement Act,
21 there shall be a supplemental appropriation sufficient to pay for the
22 differences between the actuarially required contribution rate and the
23 rate of all contributions required pursuant to the act.

24 (c) Upon the recommendation of the actuary to the board, and after
25 the board notifies the Nebraska Retirement Systems Committee of the
26 Legislature, the board may combine or offset certain amortization bases
27 to reduce future volatility of the actuarial contribution rate. Such
28 notification to the committee shall be in writing and include, at a
29 minimum, the actuary's projection of the contributions to fund the plan
30 if the combination or offset were not implemented, the actuary's
31 projection of the contributions to fund the plan if the combination or

1 offset were implemented, and the actuary's explanation of why the
2 combination or offset is in the best interests of the plan at the
3 proposed time.

4 (d) For purposes of this subsection, the rate of all contributions
5 required pursuant to the Judges Retirement Act includes (i) member
6 contributions, (ii) state contributions pursuant to subsection (6) of
7 this section which shall be considered as a contribution for the plan
8 year ending the prior June 30, (iii) court fees as provided in subsection
9 (3) of this section, and (iv) all fees pursuant to sections 25-2804,
10 33-103, 33-103.01, 33-106.02, 33-123, 33-124, 33-125, 33-126.02,
11 33-126.03, and 33-126.06, as directed to be remitted to the fund.

12 (6)(a) In addition to the contributions otherwise required by this
13 section, beginning July 1, 2023, and on July 1 of each year thereafter,
14 or as soon thereafter as administratively possible, the State Treasurer
15 shall transfer from the General Fund to the Nebraska Retirement Fund for
16 Judges an amount equal to five percent of the total annual compensation
17 of all members of the retirement system except as otherwise provided in
18 this subsection and as such rate shall be adjusted or terminated by the
19 Legislature. No adjustment may cause the total contribution rate
20 established in this subsection to exceed five percent. For purposes of
21 this subsection, (i) total annual compensation is based on the total
22 member compensation reported in the most recent annual actuarial
23 valuation report for the retirement system produced for the board
24 pursuant to section 84-1503 and (ii) the contribution described in this
25 subsection shall be considered as a contribution for the plan year ending
26 the prior June 30.

27 (b) If the funded ratio on the actuarial value of assets is at or
28 above one hundred percent for two consecutive years as reported in the
29 annual actuarial valuation report, the actuary shall assess whether the
30 percentage of the state contribution rate should be adjusted based on
31 projected annual actuarial valuation report results including the funded

1 ratio, actuarial contribution, and expected revenue sources using several
2 assumed investment return scenarios that the actuary deems to be
3 reasonable, and shall make a recommendation to the board as part of the
4 annual actuarial valuation report.

5 (c) If the state contribution rate has been adjusted to less than
6 five percent and the funded ratio on the actuarial value of assets is
7 below one hundred percent for two consecutive years as reported in the
8 annual actuarial valuation report, the actuary shall assess whether the
9 percentage of the state contribution rate should be adjusted based on
10 projected annual actuarial valuation report results including the funded
11 ratio, actuarial contribution, and expected revenue sources using several
12 assumed investment return scenarios that the actuary deems to be
13 reasonable, and shall make a recommendation to the board as part of the
14 annual actuarial valuation report.

15 (d) If an annual actuarial valuation report includes a
16 recommendation from the actuary to adjust the contribution rate as
17 described in subdivision (b) or (c) of this subsection, the board shall
18 provide written notice electronically to the Nebraska Retirement Systems
19 Committee of the Legislature, to the Governor, and to the Supreme Court
20 of such recommendation within seven business days after voting to approve
21 an annual actuarial valuation report. The notice shall include the
22 actuary's recommendation and analysis regarding such adjustment.

23 (e) Following receipt of the actuary's recommendation and analysis
24 pursuant to this subsection, the Nebraska Retirement Systems Committee of
25 the Legislature shall determine the amount of any adjustment of the
26 contribution rate and, if necessary, shall propose any such adjustment to
27 the Legislature.

28 (7) ~~(10)~~ The state or county shall pick up the member contributions
29 required by this section for all compensation paid on or after January 1,
30 1985, and the contributions so picked up shall be treated as employer
31 contributions pursuant to section 414(h)(2) of the Internal Revenue Code

1 in determining federal tax treatment under the code and shall not be
2 included as gross income of the member until such time as they are
3 distributed or made available. The contributions, although designated as
4 member contributions, shall be paid by the state or county in lieu of
5 member contributions. The state or county shall pay these member
6 contributions from the same source of funds which is used in paying
7 earnings to the member. The state or county shall pick up these
8 contributions by a compensation deduction through a reduction in the
9 compensation of the member. Member contributions picked up shall be
10 treated for all purposes of the Judges Retirement Act in the same manner
11 and to the extent as member contributions made prior to the date picked
12 up.

13 Sec. 3. Section 24-710, Revised Statutes Cumulative Supplement,
14 2020, is amended to read:

15 24-710 (1) The retirement annuity of a judge who is an original
16 member, who has not made the election provided for in ~~subsection (8) of~~
17 ~~section 24-703 or~~ section 24-710.01, and who retires under section 24-708
18 or 24-709 shall be computed as follows: Each such judge shall be entitled
19 to receive an annuity, each monthly payment of which shall be in an
20 amount equal to three and one-third percent of his or her final average
21 compensation as such judge, multiplied by the number of his or her years
22 of creditable service. The amount stated in this section shall be
23 supplemental to any benefits received by such judge under the Nebraska
24 and federal old age and survivors' insurance acts at the date of
25 retirement, but the monthly combined benefits received thereunder and by
26 the Judges Retirement Act shall not exceed sixty-five percent of the
27 final average compensation such judge was receiving when he or she last
28 served as such judge. The amount of retirement annuity of a judge who
29 retires under section 24-708 or 24-709 shall not be less than twenty-five
30 dollars per month if he or she has four years or more of service credit.

31 (2) The retirement annuity of a judge who is a future member and who

1 retires after July 1, 1986, under section 24-708 or 24-709 shall be
2 computed as follows: Each such judge shall be entitled to receive an
3 annuity, each monthly payment of which shall be in an amount equal to
4 three and one-half percent of his or her final average compensation as
5 such judge, multiplied by the number of his or her years of creditable
6 service, except that prior to an actuarial factor adjustment for purposes
7 of calculating an optional form of annuity benefits under subsection (3)
8 of this section, the monthly benefits received under this subsection
9 shall not exceed seventy percent of the final average compensation such
10 judge was receiving when he or she last served as such judge.

11 (3) Except as provided in section 42-1107, any member may, when
12 filing an application as provided by the retirement system, elect to
13 receive, in lieu of the normal form annuity benefits to which the member
14 or his or her beneficiary may otherwise be entitled under the Judges
15 Retirement Act, an optional form of annuity benefits which the board may
16 by rules and regulations provide, the value of which, determined by
17 accepted actuarial methods and on the basis of actuarial assumptions
18 recommended by the actuary, approved by the board, and kept on file in
19 the office of the director, is equal to the value of the benefit
20 replaced. The board may (a) adopt and promulgate appropriate rules and
21 regulations to establish joint and survivorship annuities, with and
22 without reduction on the death of the first annuitant, and such other
23 forms of annuities as may in its judgment be appropriate and establishing
24 benefits as provided in sections 24-707 and 24-707.01, (b) prescribe
25 appropriate forms for making the election by the members, and (c) provide
26 for the necessary actuarial services to make the required valuations.

27 (4) A one-time cost-of-living adjustment shall be made for each
28 retired judge and each surviving beneficiary who is receiving a
29 retirement annuity as provided for in this section. The annuity shall be
30 adjusted by the increase in the cost of living or wage levels between the
31 effective date of retirement and June 30, 1992, except that such

1 increases shall not exceed three percent per year of retirement and the
2 total increase shall not exceed two hundred fifty dollars per month.

3 Sec. 4. Section 25-2804, Revised Statutes Cumulative Supplement,
4 2020, is amended to read:

5 25-2804 (1) Actions in the Small Claims Court shall be commenced by
6 the plaintiff by filing a claim personally, by mail, or by another method
7 established by Supreme Court rules.

8 (2) At the time of the filing of the claim, the plaintiff shall pay
9 a fee of six dollars and twenty-five cents to the clerk. One dollar and
10 twenty-five cents of such fee shall be remitted to the State Treasurer
11 for credit to the Nebraska Retirement Fund for Judges through June 30,
12 2021. Beginning July 1, 2021, two dollars of such fee shall be remitted
13 to the State Treasurer for credit to the Nebraska Retirement Fund for
14 Judges.

15 (3) Upon filing of a claim in the Small Claims Court, the court
16 shall set a time for hearing and shall cause notice to be served upon the
17 defendant. Notice shall be served not less than five days before the time
18 set for hearing. Notice shall consist of a copy of the complaint and a
19 summons directing the defendant to appear at the time set for hearing and
20 informing the defendant that if he or she fails to appear, judgment will
21 be entered against him or her. Notice shall be served in the manner
22 provided for service of a summons in a civil action. If the notice is to
23 be served by certified mail, the clerk shall provide the plaintiff with
24 written instructions, prepared and provided by the State Court
25 Administrator, regarding the proper procedure for service by certified
26 mail. The cost of service shall be paid by the plaintiff, but such cost
27 and filing fee shall be added to any judgment given the plaintiff.

28 (4) The defendant may file a setoff or counterclaim. Any setoff or
29 counterclaim shall be filed and a copy delivered to the plaintiff at
30 least two days prior to the time of trial. If the setoff or counterclaim
31 exceeds the jurisdictional limits of the Small Claims Court as

1 established pursuant to section 25-2802, the court shall cause the entire
2 matter to be transferred to the regular county court docket and set for
3 trial.

4 (5) No prejudgment actions for attachment, garnishment, replevin, or
5 other provisional remedy may be filed in the Small Claims Court.

6 (6) All forms required by this section shall be prescribed by the
7 Supreme Court. The claim form shall provide for the names and addresses
8 of the plaintiff and defendant, a concise statement of the nature,
9 amount, and time and place of accruing of the claim, and an
10 acknowledgment for use by the person in whose presence the claim form is
11 executed and shall also contain a brief explanation of the Small Claims
12 Court procedure and methods of appeal therefrom.

13 (7) For a default judgment rendered by a Small Claims Court (a) the
14 default judgment may be appealed as provided in section 25-2807, (b) if a
15 motion for a new trial, by the procedure provided in sections 25-1142,
16 25-1144, and 25-1144.01, is filed ten days or less after entry of the
17 default judgment, the court may act upon the motion without a hearing, or
18 (c) if more than ten days have passed since the entry of the default
19 judgment, the court may set aside, vacate, or modify the default judgment
20 as provided in section 25-2720.01. Parties may be represented by
21 attorneys for the purpose of filing a motion for a new trial or to set
22 aside, vacate, or modify a default judgment.

23 Sec. 5. Section 33-106.02, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 33-106.02 (1) The clerk of the district court of each county shall
26 not retain for his or her own use any fees, revenue, perquisites, or
27 receipts, fixed, enumerated, or provided in this or any other section of
28 the statutes of the State of Nebraska or any fees authorized by federal
29 law to be collected or retained by a county official. The clerk shall on
30 or before the fifteenth day of each month make a report to the county
31 board, under oath, showing the different items of such fees, revenue,

1 perquisites, or receipts received, from whom, at what time, and for what
2 service, and the total amount received by such officer since the last
3 report, and also the amount received for the current year.

4 (2) The clerk shall account for and pay any fees, revenue,
5 perquisites, or receipts not later than the fifteenth day of the month
6 following the calendar month in which such fees, revenue, perquisites, or
7 receipts were received in the following manner:

8 (a) ~~Of the forty-two-dollar docket fee imposed pursuant to section~~
9 ~~33-106, through June 30, 2016, five dollars shall be remitted to the~~
10 ~~State Treasurer for credit to the General Fund and two dollars shall be~~
11 ~~remitted to the State Treasurer for credit to the Nebraska Retirement~~
12 ~~Fund for Judges, beginning July 1, 2016, through June 30, 2017, three~~
13 ~~dollars shall be remitted to the State Treasurer for credit to the~~
14 ~~General Fund and four dollars shall be remitted to the State Treasurer~~
15 ~~for credit to the Nebraska Retirement Fund for Judges, and beginning July~~
16 ~~1, 2017, one dollar shall be remitted to the State Treasurer for credit~~
17 ~~to the General Fund and six dollars shall be remitted to the State~~
18 ~~Treasurer for credit to the Nebraska Retirement Fund for Judges through~~
19 ~~June 30, 2021. Beginning July 1, 2021, seven dollars of such forty-two-~~
20 ~~dollar docket fee shall be remitted to the State Treasurer for credit to~~
21 the Nebraska Retirement Fund for Judges;

22 (b) Of the twenty-seven-dollar docket fee imposed for appeal of a
23 criminal case to the district court pursuant to section 33-106, two
24 dollars shall be remitted to the State Treasurer for credit to the
25 Nebraska Retirement Fund for Judges; and

26 (c) The remaining fees, revenue, perquisites, or receipts shall be
27 credited to the general fund of the county.

28 Sec. 6. Section 33-123, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 33-123 The county court shall be entitled to the following fees in
31 civil matters:

1 (1) Twenty dollars for ~~For~~ any and all services rendered up to and
2 including the judgment or dismissal of the action other than for a
3 domestic relations matter. Of such twenty-dollar fee, the following
4 amounts , ~~twenty dollars of which two dollars shall be remitted to the~~
5 ~~State Treasurer for credit to the Nebraska Retirement Fund for Judges~~
6 ~~through June 30, 2015. Beginning July 1, 2015, through June 30, 2017,~~
7 ~~four dollars of the twenty dollars shall be remitted to the State~~
8 ~~Treasurer for credit to the Nebraska Retirement Fund for Judges.~~
9 ~~Beginning July 1, 2017, six dollars of the twenty dollars shall be~~
10 ~~remitted to the State Treasurer for credit to the Nebraska Retirement~~
11 ~~Fund for Judges: (a) Six dollars through June 30, 2021, (b) beginning~~
12 ~~July 1, 2021, through June 30, 2022, eight dollars, (c) beginning July 1,~~
13 ~~2022, through June 30, 2023, nine dollars, (d) beginning July 1, 2023,~~
14 ~~through June 30, 2024, ten dollars, (e) beginning July 1, 2024, through~~
15 ~~June 30, 2025, eleven dollars, and (f) beginning July 1, 2025, twelve~~
16 ~~dollars;~~

17 (2) For any and all services rendered up to and including the
18 judgment or dismissal of a domestic relations matter, forty dollars;

19 (3) For filing a foreign judgment or a judgment transferred from
20 another court in this state, fifteen dollars; and

21 (4) For writs of execution, writs of restitution, garnishment, and
22 examination in aid of execution, five dollars each.

23 Sec. 7. Section 33-124, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 33-124 In criminal matters, including preliminary and juvenile
26 hearings, the county court shall receive, for any and all services
27 rendered up to and including the judgment or dismissal of the action and
28 the issuance of mittimus or discharge to the jailer, a fee the sum of
29 twenty dollars. Of such twenty-dollar fee, the following amounts ~~of which~~
30 ~~two dollars shall be remitted to the State Treasurer for credit to the~~
31 ~~Nebraska Retirement Fund for Judges through June 30, 2015. Beginning July~~

1 ~~1, 2015, through June 30, 2017, four dollars of the twenty dollars shall~~
2 ~~be remitted to the State Treasurer for credit to the Nebraska Retirement~~
3 ~~Fund for Judges. Beginning July 1, 2017, six dollars of the twenty~~
4 ~~dollars shall be remitted to the State Treasurer for credit to the~~
5 ~~Nebraska Retirement Fund for Judges: (a) Six dollars through June 30,~~
6 ~~2021, (b) beginning July 1, 2021, through June 30, 2022, eight dollars,~~
7 ~~(c) beginning July 1, 2022, through June 30, 2023, nine dollars, (d)~~
8 ~~beginning July 1, 2023, through June 30, 2024, ten dollars, (e) beginning~~
9 ~~July 1, 2024, through June 30, 2025, eleven dollars, and (f) beginning~~
10 ~~July 1, 2025, twelve dollars.~~

11 Sec. 8. Section 33-125, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 33-125 (1) In probate matters the county court shall be entitled to
14 receive the following fees:

15 (a)(i) Twenty-two dollars for ~~For~~ probate proceedings commenced and
16 closed informally. Of such twenty-two-dollar fee, the following amounts ~~r~~
17 ~~twenty-two dollars of which two dollars shall be remitted to the State~~
18 ~~Treasurer for credit to the Nebraska Retirement Fund for Judges: (A) Six~~
19 ~~dollars through June 30, 2021, (B) beginning July 1, 2021, through June~~
20 ~~30, 2022, eight dollars, (C) beginning July 1, 2022, through June 30,~~
21 ~~2023, nine dollars, (D) beginning July 1, 2023, through June 30, 2024,~~
22 ~~ten dollars, (E) beginning July 1, 2024, through June 30, 2025, eleven~~
23 ~~dollars, and (F) beginning July 1, 2025, twelve dollars;~~

24 (ii) Twenty-two dollars for each subsequent petition or application
25 filed within an the informal proceeding, not including the fee for a
26 petition for determination of inheritance tax as provided in section
27 33-126.03. Of the twenty-two-dollar fee described in this subdivision
28 (ii), the following amounts ~~proceedings, twenty-two dollars of which two~~
29 ~~dollars shall be remitted to the State Treasurer for credit to the~~
30 ~~Nebraska Retirement Fund for Judges: (A) Six dollars through June 30,~~
31 ~~2021, (B) beginning July 1, 2021, through June 30, 2022, eight dollars,~~

1 (C) beginning July 1, 2022, through June 30, 2023, nine dollars, (D)
2 beginning July 1, 2023, through June 30, 2024, ten dollars, (E) beginning
3 July 1, 2024, through June 30, 2025, eleven dollars, and (F) beginning
4 July 1, 2025, twelve dollars through June 30, 2015. Beginning July 1,
5 2015, through June 30, 2017, four dollars of the twenty-two dollars shall
6 be remitted to the State Treasurer for credit to the Nebraska Retirement
7 Fund for Judges. Beginning July 1, 2017, six dollars of the twenty-two
8 dollars shall be remitted to the State Treasurer for credit to the
9 Nebraska Retirement Fund for Judges; and

10 (iii) Twenty-two dollars for (ii) For any other proceeding under the
11 Nebraska Probate Code for which no court fee is established by statute.
12 Of such twenty-two-dollar fee, the following amounts , twenty-two dollars
13 of which two dollars shall be remitted to the State Treasurer for credit
14 to the Nebraska Retirement Fund for Judges through June 30, 2015.
15 Beginning July 1, 2015, through June 30, 2017, four dollars of the
16 twenty-two dollars shall be remitted to the State Treasurer for credit to
17 the Nebraska Retirement Fund for Judges. Beginning July 1, 2017, six
18 dollars of the twenty-two dollars shall be remitted to the State
19 Treasurer for credit to the Nebraska Retirement Fund for Judges: (A) Six
20 dollars through June 30, 2021, (B) beginning July 1, 2021, through June
21 30, 2022, eight dollars, (C) beginning July 1, 2022, through June 30,
22 2023, nine dollars, (D) beginning July 1, 2023, through June 30, 2024,
23 ten dollars, (E) beginning July 1, 2024, through June 30, 2025, eleven
24 dollars, and (F) beginning July 1, 2025, twelve dollars.

25 The fees assessed under this subdivision (a) shall not exceed the
26 fees which would be assessed for a formal probate under subdivision (b)
27 of this subsection; and

28 (b) For probate proceedings commenced or closed formally:

29 (i) When the value does not exceed one thousand dollars, twenty-two
30 dollars;

31 (ii) When the value exceeds one thousand dollars and is not more

1 than two thousand dollars, thirty dollars;

2 (iii) When the value exceeds two thousand dollars and is not more
3 than five thousand dollars, fifty dollars;

4 (iv) When the value exceeds five thousand dollars and is not more
5 than ten thousand dollars, seventy dollars;

6 (v) When the value exceeds ten thousand dollars and is not more than
7 twenty-five thousand dollars, eighty dollars;

8 (vi) When the value exceeds twenty-five thousand dollars and is not
9 more than fifty thousand dollars, one hundred dollars;

10 (vii) When the value exceeds fifty thousand dollars and is not more
11 than seventy-five thousand dollars, one hundred twenty dollars;

12 (viii) When the value exceeds seventy-five thousand dollars and is
13 not more than one hundred thousand dollars, one hundred sixty dollars;

14 (ix) When the value exceeds one hundred thousand dollars and is not
15 more than one hundred twenty-five thousand dollars, two hundred twenty
16 dollars;

17 (x) When the value exceeds one hundred twenty-five thousand dollars
18 and is not more than one hundred fifty thousand dollars, two hundred
19 fifty dollars;

20 (xi) When the value exceeds one hundred fifty thousand dollars and
21 is not more than one hundred seventy-five thousand dollars, two hundred
22 seventy dollars;

23 (xii) When the value exceeds one hundred seventy-five thousand
24 dollars and is not more than two hundred thousand dollars, three hundred
25 dollars;

26 (xiii) When the value exceeds two hundred thousand dollars and is
27 not more than three hundred thousand dollars, three hundred fifty
28 dollars;

29 (xiv) When the value exceeds three hundred thousand dollars and is
30 not more than four hundred thousand dollars, four hundred dollars;

31 (xv) When the value exceeds four hundred thousand dollars and is not

1 more than five hundred thousand dollars, five hundred dollars;

2 (xvi) When the value exceeds five hundred thousand dollars and is
3 not more than seven hundred fifty thousand dollars, six hundred dollars;

4 (xvii) When the value exceeds seven hundred fifty thousand dollars
5 and is not more than one million dollars, seven hundred dollars;

6 (xviii) When the value exceeds one million dollars and is not more
7 than two million five hundred thousand dollars, eight hundred dollars;

8 (xix) When the value exceeds two million five hundred thousand
9 dollars and is not more than five million dollars, one thousand dollars;
10 and

11 (xx) On all estates when the value exceeds five million dollars, one
12 thousand five hundred dollars.

13 (2) The fees prescribed in subdivision (1)(b) of this section shall
14 be based on the gross value of the estate, including both real and
15 personal property in the State of Nebraska at the time of death. The
16 gross value shall mean the actual value of the estate less liens and
17 joint tenancy property. Formal fees shall be charged in full for all
18 services performed by the court, and no additional fees shall be charged
19 for petitions, hearing, and orders in the course of such administration.
20 The court shall provide one certified copy of letters of appointment
21 without charge. In other cases when it is necessary to copy instruments,
22 the county court shall be allowed the fees provided in section 33-126.05.
23 In all cases when a petition for probate of will or appointment of an
24 administrator, special administrator, personal representative, guardian,
25 or trustee or any other petition for an order in probate matters is filed
26 and no appointment is made or order entered and the cause is dismissed,
27 the fee shall be ten dollars.

28 Sec. 9. Section 33-126.02, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 33-126.02 In matters of guardianship and conservatorship, the county
31 court shall be entitled to receive the following fees: Upon the filing of

1 a petition for the appointment of a guardian, twenty-two dollars; upon
2 the filing of a petition for the appointment of a conservator, twenty-two
3 dollars; upon the filing of one petition for a consolidated appointment
4 of both a guardian and conservator, twenty-two dollars; for the
5 appointment of a successor guardian or conservator, twenty-two dollars;
6 for the appointment of a temporary guardian or temporary or special
7 conservator, twenty-two dollars; and for proceedings for a protective
8 order in the absence of a guardianship or conservatorship, twenty-two
9 dollars. If there is more than one ward listed in a petition for
10 appointment of a guardian or conservator or both, only one filing fee
11 shall be assessed. Two dollars of each twenty-two-dollar fee shall be
12 remitted to the State Treasurer for credit to the Nebraska Retirement
13 Fund for Judges through June 30, 2021. Beginning July 1, 2021, four
14 dollars of each twenty-two-dollar fee shall be remitted to the State
15 Treasurer for credit to the Nebraska Retirement Fund for Judges. While
16 such guardianship or conservatorship is pending, the court shall receive
17 five dollars for filing and recording each report. When the appointment
18 of a custodian as provided for in the Nebraska Uniform Transfers to
19 Minors Act is made, the county court shall be entitled to receive a fee
20 of twenty dollars.

21 Sec. 10. Section 33-126.03, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 33-126.03 In all matters for the determination of inheritance tax
24 under Chapter 77, article 20, the county court shall be entitled to
25 receive fees of twenty-two dollars. Fees under this section shall not be
26 charged if fees have been imposed pursuant to subdivision (1)(b) of
27 section 33-125. Except in cases instituted by the county attorney, such
28 fee shall be paid by the person petitioning for such determination. Two
29 dollars of such fee shall be remitted to the State Treasurer for credit
30 to the Nebraska Retirement Fund for Judges through June 30, 2021.
31 Beginning July 1, 2021, four dollars of such fee shall be remitted to the

1 State Treasurer for credit to the Nebraska Retirement Fund for Judges.

2 Sec. 11. Section 33-126.06, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 33-126.06 The county court shall be entitled to collect the
5 following fees: For the registration of any trust, whether testamentary
6 or not, twenty-two dollars; for each proceeding initiated in county court
7 concerning the administration and distribution of trusts, the declaration
8 of rights, and the determination of other matters involving trustees and
9 beneficiaries of trusts, twenty-two dollars; for the appointment of a
10 successor trustee, twenty-two dollars; and for filing and recording each
11 report, five dollars. Two dollars of each twenty-two-dollar fee shall be
12 remitted to the State Treasurer for credit to the Nebraska Retirement
13 Fund for Judges through June 30, 2021. Beginning July 1, 2021, four
14 dollars of each twenty-two-dollar fee shall be remitted to the State
15 Treasurer for credit to the Nebraska Retirement Fund for Judges.

16 Sec. 12. Section 79-966, Revised Statutes Cumulative Supplement,
17 2020, is amended to read:

18 79-966 (1)(a) On the basis of all data in the possession of the
19 retirement board, including such mortality and other tables as are
20 recommended by the actuary engaged by the retirement board and adopted by
21 the retirement board, the retirement board shall annually, on or before
22 July 1, determine the state deposit to be made by the state in the School
23 Retirement Fund for that fiscal year. The amount of such state deposit
24 shall be determined pursuant to section 79-966.01. The retirement board
25 shall thereupon certify the amount of such state deposit, and on the
26 warrant of the Director of Administrative Services, the State Treasurer
27 shall, as of July 1 of such year, transfer from funds appropriated by the
28 state for that purpose to the School Retirement Fund the amount of such
29 state deposit.

30 (b) Beginning July 1, 2016, the contingent state deposit described
31 in this subsection shall be calculated as a percent of compensation of

1 all members of the retirement system. For any year in which a deposit is
2 made to the School Retirement Fund under this subsection, if the actuary
3 for a retirement system provided for under the Class V School Employees
4 Retirement Act determines that the actuarially required contribution
5 rate, for the fiscal year of the retirement system that begins before the
6 state deposit, exceeds the rate of all contributions required pursuant to
7 the Class V School Employees Retirement Act, using the ~~thirty-year~~
8 amortization period specified in section 79-966.01, the Class V district
9 school board may request a public hearing of the Appropriations Committee
10 of the Legislature to ask the state to transfer to the funds of the
11 retirement system provided for under the Class V School Employees
12 Retirement Act an amount determined by multiplying the compensation of
13 all members of such retirement system by the lesser of the percent of
14 compensation deposited into the School Retirement Fund under this
15 subsection or the percent of compensation of the members of the
16 retirement system provided for under the Class V School Employees
17 Retirement Act needed to meet the actuarially required contribution rate
18 for such system, using the ~~thirty-year~~ amortization period specified in
19 section 79-966.01. Any additional amount of transfer so calculated,
20 recommended by the Appropriations Committee of the Legislature and
21 approved by the Legislature, shall be added to the two percent specified
22 in subsection (2) of this section for the amount required by subsection
23 (2) of section 79-916 to be transferred to the funds of the retirement
24 system provided for under the Class V School Employees Retirement Act.

25 (2) For each fiscal year beginning July 1, 2014, in addition to the
26 state deposits required by subsections (1) and (3) of this section, the
27 state shall deposit in the School Retirement Fund an amount equal to two
28 percent of the compensation of all members of the retirement system.

29 (3) In addition to the state deposits required by subsections (1)
30 and (2) of this section, beginning on July 1, 2005, and each fiscal year
31 thereafter for employees who become members prior to July 1, 2016, the

1 state shall deposit in the Service Annuity Fund such amounts as may be
2 necessary to pay the normal cost and amortize the unfunded actuarial
3 accrued liability of the service annuity benefit established pursuant to
4 sections 79-933 and 79-952 as accrued through the end of the previous
5 fiscal year of the school employees who are members of the retirement
6 system established pursuant to the Class V School Employees Retirement
7 Act.

8 Sec. 13. Section 79-966.01, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 79-966.01 (1) Prior to July 1, 2021:

11 (a) Beginning July 1, 2013, and each fiscal year thereafter, this
12 section shall govern annual actuarial valuations of the School Retirement
13 Fund. In order to determine the additional required deposits by the State
14 of Nebraska, as required by section 79-966, the board shall cause an
15 annual actuarial valuation to be performed that will value the plan
16 assets for the year and ascertain the contributions required for such
17 fiscal year. The actuary for the board shall perform the annual valuation
18 of the system on the basis of actuarial assumptions recommended by the
19 actuary, approved by the board, and kept on file with the board using the
20 entry age actuarial cost method. Under this method, the actuarially
21 required funding rate is equal to the normal cost rate, plus the
22 contribution rate necessary to amortize the unfunded actuarial accrued
23 liability on a level percentage of salary basis. The normal cost under
24 this method shall be determined for each individual member on a level
25 percentage of salary basis. The normal cost amount is then summed for all
26 members;

27 (b) Beginning July 1, 2006, any existing unfunded liabilities shall
28 be reinitialized and amortized over a thirty-year period, and during each
29 subsequent actuarial valuation through June 30, 2021, changes in the
30 unfunded funded actuarial accrued liability due to changes in benefits,
31 actuarial assumptions, the asset valuation method, or actuarial gains or

1 losses shall be measured and amortized over a thirty-year period
2 beginning on the valuation date of such change; -

3 (c) If the unfunded actuarial accrued liability under the entry age
4 actuarial cost method is zero or less than zero on an actuarial valuation
5 date, then all prior unfunded actuarial accrued liabilities shall be
6 considered fully funded and the unfunded actuarial accrued liability
7 shall be reinitialized and amortized over a thirty-year period as of the
8 actuarial valuation date; and -

9 (d) If the actuarially required contribution rate exceeds the rate
10 of all contributions required pursuant to the School Employees Retirement
11 Act, the actuary shall determine the added contributions required to be
12 paid by the State of Nebraska that constitute the difference between the
13 actuarially required contribution rate and the rate of all other required
14 contributions.

15 (2) Beginning July 1, 2021, and each fiscal year thereafter:

16 (a) The board shall cause an annual actuarial valuation to be
17 performed that will value the plan assets for the year and ascertain the
18 contributions required for such fiscal year. The actuary for the board
19 shall perform the annual valuation of the system on the basis of
20 actuarial assumptions recommended by the actuary, approved by the board,
21 and kept on file with the board using the entry age actuarial cost
22 method. Under such method, the actuarially required funding rate is equal
23 to the normal cost rate, plus the contribution rate necessary to amortize
24 the unfunded actuarial accrued liability on a level percentage of salary
25 basis. The normal cost under such method shall be determined for each
26 individual member on a level percentage of salary basis. The normal cost
27 amount is then summed for all members;

28 (b) Any changes in the unfunded actuarial accrued liability due to
29 changes in benefits, actuarial assumptions, the asset valuation method,
30 or actuarial gains or losses shall be measured and amortized over a
31 twenty-five-year period beginning on the valuation date of such change;

1 (c) If the unfunded actuarial accrued liability under the entry age
2 actuarial cost method is zero or less than zero on an actuarial valuation
3 date, then all prior unfunded actuarial accrued liabilities shall be
4 considered fully funded and the unfunded actuarial accrued liability
5 shall be reinitialized and amortized over a twenty-five-year period as of
6 the actuarial valuation date; and

7 (d) If the actuarially required contribution rate exceeds the rate
8 of all contributions required pursuant to the School Employees Retirement
9 Act, the actuary shall determine the added contributions required to be
10 paid by the State of Nebraska that constitute the difference between the
11 actuarially required contribution rate and the rate of all other required
12 contributions.

13 (3) Upon the recommendation of the actuary to the board, and after
14 the board notifies the Nebraska Retirement Systems Committee of the
15 Legislature, the board may combine or offset certain amortization bases
16 to reduce future volatility of the actuarial contribution rate. Such
17 notification to the committee shall be in writing and include, at a
18 minimum, the actuary's projection of the contributions to fund the plan
19 if the combination or offset were not implemented, the actuary's
20 projection of the contributions to fund the plan if the combination or
21 offset were implemented, and the actuary's explanation of why the
22 combination or offset is in the best interests of the plan at the
23 proposed time.

24 Sec. 14. Section 81-2017, Revised Statutes Cumulative Supplement,
25 2020, is amended to read:

26 81-2017 (1) Commencing July 1, 2010, and until July 1, 2011, each
27 officer while in the service of the Nebraska State Patrol shall pay or
28 have paid on his or her behalf a sum equal to sixteen percent of his or
29 her monthly compensation. Commencing July 1, 2011, and until July 1,
30 2013, each officer while in the service of the Nebraska State Patrol
31 shall pay or have paid on his or her behalf a sum equal to nineteen

1 percent of his or her monthly compensation. Commencing July 1, 2013, each
2 officer who commenced service prior to July 1, 2016, while in the service
3 of the Nebraska State Patrol shall pay or have paid on his or her behalf
4 a sum equal to sixteen percent of his or her monthly compensation. Each
5 officer who commenced service on or after July 1, 2016, while in the
6 service of the Nebraska State Patrol shall pay or have paid on his or her
7 behalf a sum equal to seventeen percent of his or her monthly
8 compensation. Such amounts shall be deducted monthly by the Director of
9 Administrative Services who shall draw a warrant monthly in the amount of
10 the total deductions from the compensation of members of the Nebraska
11 State Patrol in accordance with subsection (4) of this section, and the
12 State Treasurer shall credit the amount of such warrant to the State
13 Patrol Retirement Fund. The director shall cause a detailed report of all
14 monthly deductions to be made each month to the board.

15 (2) In addition, commencing July 1, 2010, and until July 1, 2011,
16 there shall be assessed against the appropriation of the Nebraska State
17 Patrol a sum equal to the amount of sixteen percent of each officer's
18 monthly compensation which shall be credited to the State Patrol
19 Retirement Fund. Commencing July 1, 2011, and until July 1, 2013, there
20 shall be assessed against the appropriation of the Nebraska State Patrol
21 a sum equal to the amount of nineteen percent of each officer's monthly
22 compensation which shall be credited to the State Patrol Retirement Fund.
23 Commencing July 1, 2013, for each officer who commenced service prior to
24 July 1, 2016, there shall be assessed against the appropriation of the
25 Nebraska State Patrol a sum equal to the amount of sixteen percent of
26 each officer's monthly compensation which shall be credited to the State
27 Patrol Retirement Fund. Commencing July 1, 2016, for each officer who
28 commenced service on or after July 1, 2016, there shall be assessed
29 against the appropriation of the Nebraska State Patrol a sum equal to the
30 amount of seventeen percent of each officer's monthly compensation which
31 shall be credited to the State Patrol Retirement Fund. This assessment

1 constitutes an employer match and shall be contingent upon the officer
2 making his or her contributions to the retirement system.

3 (3)(a) Prior to July 1, 2021:

4 (i) Beginning ~~(3)~~ For the fiscal year beginning on July 1, 2002, and
5 each fiscal year thereafter, the board shall cause an annual actuarial
6 valuation to be performed that will value the plan assets for the year
7 and ascertain the contributions required for such fiscal year. The
8 actuary for the board shall perform an actuarial valuation of the system
9 on the basis of actuarial assumptions recommended by the actuary,
10 approved by the board, and kept on file with the board using the entry
11 age actuarial cost method. Under this method, the actuarially required
12 funding rate is equal to the normal cost rate, plus the contribution rate
13 necessary to amortize the unfunded actuarial accrued liability on a level
14 percentage of salary basis. The normal cost under this method shall be
15 determined for each individual member on a level percentage of salary
16 basis. The normal cost amount is then summed for all members; -

17 (ii) Beginning July 1, 2006, any existing unfunded liabilities shall
18 be reinitialized and amortized over a thirty-year period, and during each
19 subsequent actuarial valuation through June 30, 2021, changes in the
20 unfunded ~~funded~~ actuarial accrued liability due to changes in benefits,
21 actuarial assumptions, the asset valuation method, or actuarial gains or
22 losses shall be measured and amortized over a thirty-year period
23 beginning on the valuation date of such change; -

24 (iii) If the unfunded actuarial accrued liability under the entry
25 age actuarial cost method is zero or less than zero on an actuarial
26 valuation date, then all prior unfunded actuarial accrued liabilities
27 shall be considered fully funded and the unfunded actuarial accrued
28 liability shall be reinitialized and amortized over a thirty-year period
29 as of the actuarial valuation date; and -

30 (iv) If the actuarially required contribution rate exceeds the rate
31 of all contributions required pursuant to the Nebraska State Patrol

1 Retirement Act, there shall be a supplemental appropriation sufficient to
2 pay for the differences between the actuarially required contribution
3 rate and the rate of all contributions required pursuant to the act
4 ~~Nebraska State Patrol Retirement Act. Such valuation shall be on the~~
5 ~~basis of actuarial assumptions recommended by the actuary, approved by~~
6 ~~the board, and kept on file with the board.~~

7 (b) Beginning July 1, 2021, and each fiscal year thereafter:

8 (i) The board shall cause an annual actuarial valuation to be
9 performed that will value the plan assets for the year and ascertain the
10 contributions required for such fiscal year. The actuary for the board
11 shall perform an actuarial valuation of the system on the basis of
12 actuarial assumptions recommended by the actuary, approved by the board,
13 and kept on file with the board using the entry age actuarial cost
14 method. Under such method, the actuarially required funding rate is equal
15 to the normal cost rate, plus the contribution rate necessary to amortize
16 the unfunded actuarial accrued liability on a level percentage of salary
17 basis. The normal cost under such method shall be determined for each
18 individual member on a level percentage of salary basis. The normal cost
19 amount is then summed for all members;

20 (ii) Any changes in the unfunded actuarial accrued liability due to
21 changes in benefits, actuarial assumptions, the asset valuation method,
22 or actuarial gains or losses shall be measured and amortized over a
23 twenty-five-year period beginning on the valuation date of such change;

24 (iii) If the unfunded actuarial accrued liability under the entry
25 age actuarial cost method is zero or less than zero on an actuarial
26 valuation date, then all prior unfunded actuarial accrued liabilities
27 shall be considered fully funded and the unfunded actuarial accrued
28 liability shall be reinitialized and amortized over a twenty-five-year
29 period as of the actuarial valuation date; and

30 (iv) If the actuarially required contribution rate exceeds the rate
31 of all contributions required pursuant to the Nebraska State Patrol

1 Retirement Act, there shall be a supplemental appropriation sufficient to
2 pay for the differences between the actuarially required contribution
3 rate and the rate of all contributions required pursuant to the act.

4 (c) Upon the recommendation of the actuary to the board, and after
5 the board notifies the Nebraska Retirement Systems Committee of the
6 Legislature, the board may combine or offset certain amortization bases
7 to reduce future volatility of the actuarial contribution rate. Such
8 notification to the committee shall be in writing and include, at a
9 minimum, the actuary's projection of the contributions to fund the plan
10 if the combination or offset were not implemented, the actuary's
11 projection of the contributions to fund the plan if the combination or
12 offset were implemented, and the actuary's explanation of why the
13 combination or offset is in the best interests of the plan at the
14 proposed time.

15 (4) The state shall pick up the member contributions required by
16 this section for all compensation paid on or after January 1, 1985, and
17 the contributions so picked up shall be treated as employer contributions
18 pursuant to section 414(h)(2) of the Internal Revenue Code in determining
19 federal tax treatment under the code and shall not be included as gross
20 income of the member until such time as they are distributed or made
21 available. The contributions, although designated as member
22 contributions, shall be paid by the state in lieu of member
23 contributions. The state shall pay these member contributions from the
24 same source of funds which is used in paying earnings to the member. The
25 state shall pick up these contributions by a compensation deduction
26 through a reduction in the cash compensation of the member. Member
27 contributions picked up shall be treated for all purposes of the Nebraska
28 State Patrol Retirement Act in the same manner and to the extent as
29 member contributions made prior to the date picked up.

30 Sec. 15. Original sections 24-703, 33-106.02, 33-123, 33-124,
31 33-125, 33-126.02, 33-126.03, 33-126.06, and 79-966.01, Reissue Revised

1 Statutes of Nebraska, and sections 24-701, 24-710, 25-2804, 79-966, and
2 81-2017, Revised Statutes Cumulative Supplement, 2020, are repealed.

3 Sec. 16. Since an emergency exists, this act takes effect when
4 passed and approved according to law.