

2012 -- H 8256

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LC02807
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM --
CONTRIBUTIONS AND BENEFITS

Introduced By: Representatives Keable, Mattiello, and Melo

Date Introduced: June 07, 2012

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 45-21.2-22 and 45-21.2-22.1 of the General Laws in Chapter 45-
2 21.2 entitled "Optional Retirement for Members of Police Force and Fire Fighters" are hereby
3 amended to read as follows:

4 **45-21.2-22. Optional twenty year retirement on service allowance.** -- (a) The local
5 legislative bodies of the cities and towns may, by ordinance adopted, permit the retirement of a
6 member on a service retirement allowance for members ~~retiring~~ [eligible to retire](#) on or before
7 June 30, 2012 as follows:

8 (1) Any member may retire pursuant to this section upon his or her written application to
9 the board stating at what time he or she desires to retire; provided, that the member, at the
10 specified time for his or her retirement, has completed at least twenty (20) years of total service,
11 and, notwithstanding that the member may have separated from service;

12 (2) Upon retirement from service pursuant to subdivision (1), a member receives a
13 retirement allowance which is a life annuity terminable at the death of the annuitant, and is equal
14 to two and one-half percent (2 1/2%) of final compensation multiplied by the years of total
15 service, but not to exceed seventy-five percent (75%) of final compensation;

16 (3) Upon the adoption of a service retirement allowance, pursuant to this subdivision,
17 each member contributes an amount equal to one percent (1%) more than that contribution
18 required under section 45-21.2-14;

1 (4) This section is exempt from the provisions of chapter 13 of this title.

2 (b) For members retiring on or after July 1, 2012, the member's retirement allowance
3 shall equal the sum of (i) and (ii) where (i) is the member's benefit calculated under (a)(1)-(4)
4 above or section 45-21.2-5 for service on and before June 30, 2012 and (ii) is the member's
5 benefit determined under section 45-21.2-6 for service on and after July 1, 2012. For service on
6 and after July 1, 2012, the provisions of (a)(3) above shall no longer apply.

7 **45-21.2-22.1. Burrillville police -- Optional twenty-year retirement on service**
8 **allowance.** -- (a) Notwithstanding section 45-21.2-22, the town council of the town of
9 Burrillville, may by ordinance adopted, permit the retirement of a member on a service retirement
10 allowance for members ~~retiring~~ [eligible to retire](#) on or before June 30, 2012, as follows:

11 (1) Any member may retire pursuant to this section upon his or her written application to
12 the board stating at what time he or she desires to retire; provided, that the member, at the
13 specified time of his or her retirement, has completed at least twenty (20) years of total service;

14 (2) Upon retirement from service, pursuant to subdivision (1), a member receives a
15 retirement allowance that is a life annuity terminable at the death of the annuitant, and is equal to
16 three percent (3%) of final compensation multiplied by the years of total service, but not to
17 exceed sixty percent (60%) of final compensation;

18 (3) Upon retirement from service where member has in excess of twenty (20) years of
19 service, a member receives a retirement allowance that is a life annuity terminable at the death of
20 the annuitant, and is an amount equal to the sum of three percent (3%) of final compensation
21 multiplied by the first twenty (20) years of service and one and one-half percent (1.5%) of final
22 compensation multiplied by the years of service in excess of twenty (20) years. The annual
23 retirement allowance in no event shall exceed seventy-five percent (75%) of final compensation;

24 (4) Upon the adoption of a service retirement allowance, pursuant to this section, each
25 member shall contribute an amount equal to ten and two-tenths percent (10.2%) of the salary or
26 compensation earned or accrued to the member;

27 (5) Notwithstanding anything to the contrary hereinabove, any member who retires with
28 less than twenty (20) years of service shall be subject to section 45-21.2-6 for purposes of
29 determining any service retirement allowance;

30 (6) This section is exempt from the provisions of chapter 13 of this title;

31 (7) Except as specifically set forth hereinabove, all other provisions of chapter 21.2 of
32 this title shall be applicable to Burrillville police officers who make application to retire.

33 (b) For members retiring on or after July 1, 2012, the member's retirement allowance
34 shall equal the sum of (i) and (ii) where (i) is the member's benefit calculated under (a)(1) through

1 (a)(7) above for service on and before June 30, 2012 and (ii) is the member's benefit determined
2 under section 45-21.2-6 for service on and after July 1, 2012. For service on and after July 1,
3 2012, the provisions of (a)(4) above shall no longer apply.

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM --
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1 This act would clarify the optional twenty (20) year retirement on service allowance for
2 members of the police force and firefighter provisions of the general laws by deleting the
3 language "retiring", and by inserting in place thereof the language "eligible to retire".

4 This act would take effect upon passage.

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