

2012 -- S 2828

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LC02231
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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 TOWNS AND CITIES -- ACCIDENTAL DISABILITY ALLOWANCE

Introduced By: Senators DaPonte, and Bates

Date Introduced: March 22, 2012

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-21-22 of the General Laws in Chapter 45-21 entitled
2 "Retirement of Municipal Employees" is hereby amended to read as follows:

3 **45-21-22. Accidental disability allowance. -- (a)** Upon retirement for accidental
4 disability submitted on or before June 30, 2012, a member receives a retirement allowance equal
5 to sixty-six and two-thirds percent (66 2/3%) of the rate of the member's compensation at the date
6 of the member's retirement subject to the provisions of section 45-21-31.

7 (b) Upon any application for accidental disability submitted on or after July 1, 2012, if
8 the member has been found to be permanently and totally disabled from service but has not been
9 found by the board to be permanently and totally disabled from any employment as a result of
10 his/her accidental disability, a member shall receive a retirement allowance equal to fifty percent
11 (50%) of the rate of the member's compensation at the date of the member's retirement, subject to
12 the provisions of section 45-21-31. The retiree shall, as a condition of continued receipt of a
13 disability retirement allowance, on or before a date fixed by the retirement board, annually under
14 penalties of perjury provide the board with such affidavits and accurate evidence of earnings,
15 employment and gainful activity as the board may require, including, but not limited to, joint
16 and/or individual tax returns. Payment of the disability retirement allowance shall continue as
17 long as the individual remains disabled, and regardless of service or age.

18 (c) Upon retirement for accidental disability that has been found by the board to be
19 permanently and totally disabling from any employment, a member shall receive a retirement

1 [allowance equal to sixty-six and two-thirds percent \(66 2/3%\) of the rate of the member's](#)
2 [compensation at the date of the member's retirement subject to the provisions of section 45-21-31.](#)
3 [The retirement board shall apply the terms of subsection 28-33-17\(b\) in determining total](#)
4 [disability.](#)

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would permit municipalities to provide accidental disability pensions of fifty
2 percent (50%) of salary if the employee is not permanently and totally disabled and sixty-six and
3 two-thirds percent ($66 \frac{2}{3}\%$) of salary if the employee is permanently and totally disabled.

4 This act would take effect upon passage.

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