

2026 -- H 8253

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

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

Introduced By: Representatives Hull, Place, Bennett, Edwards, Slater, Phillips, and Noret

Date Introduced: March 06, 2026

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 36-10-36 of the General Laws in Chapter 36-10 entitled "Retirement
2 System — Contributions and Benefits" is hereby amended to read as follows:

3 **36-10-36. Post-retirement employment.**

4 (a) On and after July 7, 1994, no member who has retired under the provisions of title 16,
5 36, or 45 may be employed or reemployed by any state agency or department unless any and all
6 retirement benefits to which the member may be entitled by virtue of the provisions of title 16, 36,
7 or 45 are suspended for the duration of any employment or reemployment. No additional service
8 credits shall be granted for any post-retirement employment or reemployment and no deductions
9 shall be taken from an individual's salary for retirement contribution. Notice of any such post-
10 retirement employment or reemployment shall be sent monthly to the retirement board by the
11 employing agency or department and by the retired member. [Provided, however, that a police](#)
12 [officer as defined in § 28-9.2-3 may be reemployed by a state agency or department, or a](#)
13 [nongovernmental entity contracted by a state agency or department, for purposes of working a](#)
14 [state-funded detail, subject to the restrictions of subsection \(b\) of this section.](#)

15 (b) Any member who has retired under the provisions of title 16, 36, or 45 may be
16 employed or reemployed by any municipality within the state that has accepted the provisions of
17 chapter 21 of title 45 and participates in the municipal employees' retirement system for a period
18 of not more than seventy-five (75) working days or one hundred fifty (150) half days with half-day

1 pay in any one calendar year without any forfeiture or reduction of any retirement benefits and
2 allowances the member is receiving, or may receive, as a retired member. Pension payments shall
3 be suspended whenever this period is exceeded. No additional contributions shall be taken, and no
4 additional service credits shall be granted, for this service. Notice of this employment or
5 reemployment shall be sent monthly to the retirement board by the employer and by the retired
6 member.

7 (c) Any member who has retired under the provisions of title 16, 36, or 45 may be employed
8 or reemployed by any municipality within the state that has not accepted the provisions of chapter
9 21 of title 45 and that does not participate in the municipal employees' retirement system.

10 (d) Notwithstanding the provisions of this section:

11 (1) Any retired member of the system shall be permitted to serve as an elected mayor, the
12 town administrator, the city administrator, the town manager, the city manager, the chief
13 administrative officer, or the chief executive officer of any city or town, city or town council
14 member, school committee member, or unpaid member of any part-time state board or commission
15 or member of any part-time municipal board or commission, and shall continue to be eligible for,
16 and receive, the retirement allowance for service other than that as a mayor, administrator, council
17 member, school committee member, or member of any state board or commission or member of
18 any part-time municipal board or commission; provided, however, that no additional service credits
19 shall be granted for any service under this subsection;

20 (2) Any retired member, who retired from service at any state college, university, state
21 school, or who retired from service as a teacher under the provisions of title 16, or who retired from
22 service under title 36 or title 45, may be employed or reemployed, on a part-time basis, by any state
23 college, university, or state school for the purpose of providing classroom instruction, academic
24 advising of students, and/or coaching. Compensation shall be provided at a level not to exceed the
25 salary provided to other faculty members employed under a collective bargaining agreement at the
26 institution. In no event shall "part-time" mean gross pay of more than twenty-five thousand dollars
27 (\$25,000) in any one calendar year. Any retired member who provides such instruction or service
28 shall do so without forfeiture or reduction of any retirement benefit or allowance; provided,
29 however, that no additional service credits shall be granted for any service under this subsection;

30 (3) Any retired member who retired from service as a teacher under the provisions of title
31 16, or as a state employee who, while an active state employee, was certified to teach driver
32 education by the department of elementary and secondary education or by the board of governors
33 for higher education, may be employed or reemployed, on a part-time basis, by the department of
34 elementary and secondary education or by the board of governors of higher education for the

1 purpose of providing classroom instruction in driver education courses in accordance with § 31-
2 10-19 and/or motorcycle driver education courses in accordance with § 31-10.1-1.1. In no event
3 shall “part-time” mean gross pay of more than fifteen thousand dollars (\$15,000) in any one
4 calendar year. Any retired teacher who provides that instruction shall do so without forfeiture or
5 reduction of any retirement benefit or allowance the retired teacher is receiving as a retired teacher;
6 provided, however, that no additional service credits shall be granted for any service under this
7 subsection;

8 (4) Any retired member who retired from service as a registered nurse may be employed
9 or reemployed, on a per-diem basis, for the purpose of providing professional nursing care and/or
10 services at a state-operated facility in Rhode Island, including employment as a faculty member of
11 a nursing program at a state-operated college or university. In no event shall “part-time” mean gross
12 pay of more than a period of seventy-five (75) working days or one hundred fifty (150) half days
13 with half pay in any one calendar year. Any retired nurse who provides such care and/or services
14 shall do so without forfeiture or reduction of any retirement benefit or allowance the retired nurse
15 is receiving as a retired nurse; provided, however, that no additional service credits shall be granted
16 for any service under this subsection. Pension payments shall be suspended whenever this period
17 is exceeded. No additional contributions shall be taken and no additional service credits shall be
18 granted for this service. Notice of this employment or reemployment shall be sent monthly to the
19 retirement board by the employer and by the retired member;

20 (5) Any retired member who, at the time of passage of this section, serves as a general
21 magistrate within the family court and thereafter retires from judicial service, may be employed or
22 reemployed by the family court to perform such services as a general magistrate of the family court
23 as the chief judge of the family court shall prescribe without any forfeiture or reduction of any
24 retirement benefits and allowances that the member is receiving or may receive. For any such
25 services or assignments performed after retirement, the general magistrate shall receive no
26 compensation whatsoever, either monetary or in kind. No additional contributions shall be taken
27 and no additional service credits shall be granted for this service;

28 (6) Any retired district court clerk/magistrate or magistrate of the district court who shall
29 subsequently be assigned to perform service in accordance with § 8-8-8.1 or § 8-8-16.2(e), may be
30 employed or reemployed by the district court to perform such services as a magistrate as the chief
31 judge of the district court shall prescribe without any forfeiture or reduction of any retirement
32 benefits and allowance that they are receiving or may receive. For any such services or assignment
33 performed after retirement, the district court clerk/magistrate or magistrate shall receive, in addition
34 to their retirement pension, the difference in pay and fringe benefits between their retirement

1 pension, and that of a sitting magistrate of the district court with comparable state service time. No
2 additional contributions shall be taken and no additional service credits shall be granted for this
3 service; and

4 (7) Any retired member of the system shall be permitted to serve as a municipal employee
5 without any forfeiture or reduction of any retirement benefits and allowances that the member is
6 receiving or may receive; provided, that said member shall be appointed by and serves at the
7 pleasure of the highest elected chief executive officer, as defined in § 45-9-2, in any city or town
8 subject to the provisions of chapter 9 of title 45 entitled "Budget Commissions" relating to the
9 appointment of a fiscal overseer, budget commission, receiver, and/or financial advisor. Provided
10 further, that no additional service credits shall be granted for any service under this subsection.

11 SECTION 2. Section 45-21-54 of the General Laws in Chapter 45-21 entitled "Retirement
12 of Municipal Employees" is hereby amended to read as follows:

13 **45-21-54. Reemployment of retired members.**

14 Any retired member of the system is permitted to reenter the service of the system for not
15 more than seventy-five (75) working days in a calendar year without interruption of pension
16 benefits. Pension payments, however, are suspended when that period is exceeded. [A police officer
17 as defined in § 28-9.2-3 may be reemployed by a state agency or department, or a nongovernmental
18 entity contracted by a state agency or department, for purposes of working a state-funded detail,
19 subject to the seventy-five-day \(75\) rule.](#) This seventy-five-day (75) rule shall not apply to police
20 officers, as defined in § 28-9.2-3, for the purposes of their working private details, paid for by a
21 nongovernmental entity. If the retired member continues in service beyond the seventy-five-day
22 (75) period (with his or her annuity temporarily suspended) the member is not eligible for pension
23 credit for the additional service, nor is the member required to make pension contributions for this
24 service; provided, that any retired member of the system is permitted to serve as an elected city or
25 town council member or school committee member and continues to be eligible for and receive the
26 retirement allowance for service other than that as a council member or school committee member.

27 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM --
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- 1 This act would allow a police officer to be reemployed by a state agency or department for
- 2 purposes of working a state-funded detail subject to certain restrictions.
- 3 This act would take effect upon passage.

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