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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO EDUCATION -- TEACHERS' RETIREMENT

Introduced By: Senators Thompson, Murray, Ciccone, Tikoian, and Appollonio

Date Introduced: March 04, 2026

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-16-12 of the General Laws in Chapter 16-16 entitled "Teachers'
2 Retirement [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is hereby
3 amended to read as follows:

4 **16-16-12. Procedure for service retirement.**

5 Retirement of a member on a service retirement allowance shall be made by the retirement
6 board as follows:

7 (a)(i) Any member may retire upon his or her written application to the retirement board
8 as of the first day of the calendar month in which the application was filed, provided the member
9 was separated from service prior to filing the application, and further provided however, that if
10 separation from service occurs during the month in which the application is filed, the effective date
11 shall be the first day following the separation from service, and provided further that the member
12 on retirement date has attained the age of sixty (60) years and has completed at least ten (10) years
13 of contributory service on or before July 1, 2005, or regardless of age has completed twenty-eight
14 (28) years of total service and has completed at least ten (10) years of contributory service on or
15 before July 1, 2005, and who retire before October 1, 2009, or are eligible to retire as of September
16 30, 2009.

17 (ii) For teachers who become eligible to retire on or after October 1, 2009, and prior to July
18 1, 2012, benefits are available to teachers who have attained the age of sixty-two (62) and
19 completed at least ten (10) years of contributory service. For teachers in service as of October 1,

1 2009, who were not eligible to retire as of September 30, 2009, but became eligible to retire prior
2 to July 1, 2012, the minimum retirement age of sixty-two (62) will be adjusted downward in
3 proportion to the amount of service the member has earned as of September 30, 2009. The
4 proportional formula shall work as follows:

5 (A) The formula shall determine the first age of retirement eligibility under the laws in
6 effect on September 30, 2009, which shall then be subtracted from the minimum retirement age of
7 sixty-two (62).

8 (B) The formula shall then take the teacher's total service credit as of September 30, 2009,
9 as the numerator and the years of service credit determined under (A) as the denominator.

10 (C) The fraction determined in (B) shall then be multiplied by the age difference in (1) to
11 apply a reduction in years from age sixty-two (62).

12 (b)(i) Any member, who has not completed at least ten (10) years of contributory service
13 on or before July 1, 2005, may retire upon his or her written application to the retirement board as
14 of the first day of the calendar month in which the application was filed; provided, the member was
15 separated from service prior thereto; and further provided, however, that if separation from service
16 occurs during the month in which application is filed, the effective date shall be the first day
17 following that separation from service; provided, the member on his or her retirement date had
18 attained the age of fifty-nine (59) and had completed at least twenty-nine (29) years of total service;
19 or provided, that the member on his or her retirement date had attained the age of sixty-five (65)
20 and had completed at least ten (10) years of contributory service; or provided, that the member on
21 his or her retirement date had attained the age of fifty-five (55) and had completed twenty (20)
22 years of total service and provided, that the retirement allowance, as determined according to the
23 formula in § 16-16-13 is reduced actuarially for each month that the age of the member is less than
24 sixty-five (65) years and who retire before October 1, 2009, or are eligible to retire as of September
25 30, 2009.

26 (ii) For teachers who become eligible to retire on or after October 1, 2009, and prior to July
27 1, 2012, benefits are available to teachers who have attained the age of sixty-two (62) and have
28 completed at least twenty-nine (29) years of total service or have attained the age of sixty-five (65)
29 and completed at least ten (10) years of contributory service. For teachers in service as of October
30 1, 2009, who were not eligible to retire as of September 30, 2009, but become eligible to retire prior
31 to July 1, 2012, who have a minimum retirement age of sixty-two (62), the retirement age will be
32 adjusted downward in proportion to the amount of service the member has earned as of September
33 30, 2009. The proportional formula shall work as follows:

34 (A) The formula shall determine the first age of retirement eligibility under the laws in

1 effect on September 30, 2009, which shall then be subtracted from the minimum retirement age of
2 sixty-two (62).

3 (B) The formula shall then take the teacher's total service credit as of September 30, 2009,
4 as the numerator and the years of service credit determined under (A) as the denominator.

5 (C) The fraction determined in (B) shall then be multiplied by the age difference
6 determined in (A) to apply a reduction in years from age sixty-two (62).

7 (c) Effective July 1, 2012, the following shall apply to all teachers not eligible to retire
8 prior to July 1, 2012:

9 (i) A teacher with contributory service on or after July 1, 2012, shall be eligible to retire
10 upon the completion of at least five (5) years of contributory service and attainment of the teacher's
11 Social Security retirement age.

12 (ii) For teachers with five (5) or more years of contributory service as of June 30, 2012,
13 with contributory service on and after July 1, 2012, who have a retirement age of Social Security
14 Retirement Age, the retirement age will be adjusted downward in proportion to the amount of
15 service the teacher has earned as of June 30, 2012, but in no event shall a teacher's retirement age
16 under this subparagraph (ii) be prior to the attainment of age fifty-nine (59) or prior to the teacher's
17 retirement age determined under the laws in effect on June 30, 2012. The proportional formula shall
18 work as follows:

19 (1) The formula shall determine the first age of retirement eligibility under the laws in
20 effect on June 30, 2012, which shall then be subtracted from Social Security retirement age;

21 (2) The formula shall then take the teacher's total service credit as of June 30, 2012, as the
22 numerator and the projected service at retirement age in effect on June 30, 2012, as the
23 denominator;

24 (3) The fraction determined in (2) shall then be multiplied by the age difference determined
25 in (1) to apply a reduction in years from Social Security retirement age.

26 (iii) Effective July 1, 2015, a teacher who has completed twenty (20) or more years of total
27 service and who has attained an age within five (5) years of the eligible retirement age under
28 subdivisions (c)(i) or (c)(ii) above or subsection (d) below, may elect to retire provided that the
29 retirement allowance shall be reduced actuarially for each month that the age of the teacher is less
30 than the eligible retirement age under subdivisions (c)(i) or (c)(ii) above or subsection (d) below in
31 accordance with the following table:

32 Year Preceding Retirement	Cumulative Annual Reduction	Cumulative	Monthly
33 Reduction			
34 For Year 1	9%		.75%

1	For Year 2	8%	.667%
2	For Year 3	7%	.583%
3	For Year 4	7%	.583%
4	For Year 5	7%	.583%

5 (iv) Notwithstanding any other provisions of section § 16-16-12(c), a teacher who has
6 completed ten (10) or more years of contributory service as of June 30, 2012, may elect to retire at
7 his or her eligible retirement date as determined under subsections (a) and (b) above provided that
8 a teacher making an election under this paragraph shall receive the teacher's retirement benefit
9 determined and calculated based on the teacher's service and average compensation as of June 30,
10 2012. This provision shall be interpreted and administered in a manner to protect a teacher's
11 accrued benefit on June 30, 2012.

12 (d)(i) Notwithstanding any other provisions of subsection (c) above, effective July 1, 2015,
13 teachers in active service shall be eligible to retire upon the earlier of:

14 (A) The attainment of at least age sixty-five (65) and the completion of at least thirty (30)
15 years of total service, or the attainment of at least age sixty-four (64) and the completion of at least
16 thirty-one (31) years of total service, or the attainment of at least age sixty-three (63) and the
17 completion of at least thirty-two (32) years of total service, or the attainment of at least age sixty-
18 two (62) and the completion of at least thirty-three (33) years of total service; or

19 (B) The teacher's retirement eligibility date under subsections (c)(i) or (c)(ii) above.

20 (ii) Notwithstanding any other provisions of subsections (c) or (d)(i) of this section,
21 commencing July 1, 2026, members in active service who have at least twenty-eight (28) years of
22 total service, shall be eligible to retire upon the earlier of:

23 (A) When the members' age when combined with their number of years of service, totals
24 the number eighty-five (85); or

25 (B) The members' retirement eligibility date under subsections (c)(i) or (c)(ii) of this
26 section.

27 (e) Except as specifically provided in §§ 36-10-9.1, 36-10-12 through 36-10-15, and 45-
28 21-19 through 45-21-22, no member shall be eligible for pension benefits under this chapter unless

29 (i) The member shall have been a contributing member of the employees' retirement
30 system for at least ten (10) years; or

31 (ii) For teachers in active contributory service on or after July 1, 2012, the teacher shall
32 have been a contributing member of the employees' retirement system for at least five (5) years.

33 (2) Provided, however, a person who has ten (10) years service credit shall be vested;
34 provided that for teachers in active contributory service on or after July 1, 2012, a teacher who has

1 five (5) years of contributory service shall be vested.

2 (3) Furthermore, any past service credits purchased in accordance with § 36-9-38 shall be
3 counted towards vesting.

4 (4) Any person who becomes a member of the employees' retirement system pursuant to
5 § 45-21-8 shall be considered a contributing member for the purpose of chapter 21 of title 45 and
6 this chapter.

7 (5) Notwithstanding any other provision of law, no more than five (5) years of service
8 credit may be purchased by a member of the system. The five (5) year limit shall not apply to any
9 purchases made prior to January 1, 1995. A member who has purchased more than five (5) years
10 of service credit before January 1, 1995, shall be permitted to apply the purchases towards the
11 member's service retirement. However, no further purchase will be permitted.

12 (6) Notwithstanding any other provision of law, effective July 1, 2012, except for purchases
13 under §§ 16-16-7.1, 36-5-3, 36-9-31, 36-10-10.4, and 45-21-53:

14 (i) For service purchases for time periods prior to a teacher's initial date of hire, the
15 purchase must be made within three (3) years of the teacher's initial date of hire; and

16 (ii) For service purchases for time periods for official periods of leave as authorized by
17 law, the purchase must be made within three (3) years of the time the official leave was concluded
18 by the teacher. Notwithstanding paragraphs (i) and (ii) above, service purchases from time periods
19 prior to June 30, 2012, may be made on or prior to June 30, 2015.

20 (f) No member of the teachers' retirement system shall be permitted to purchase service
21 credits for casual or seasonal employment, for employment as a temporary or emergency employee,
22 a page in the general assembly, or for employment at any state college or university while the
23 employee is a student or graduate of the college or university.

24 (g) Except as specifically provided in §§ 16-16-6.2 and 16-16-6.4, a member shall not
25 receive service credit in this retirement system for any year or portion of a year which counts as
26 service credit in any other retirement system in which the member is vested or from which the
27 member is receiving a pension and/or any annual payment for life. This subsection shall not apply
28 to any payments received pursuant to the federal Social Security Act, 42 U.S.C. § 301 et seq.

29 (h) A member who seeks to purchase or receive service credit in this retirement system
30 shall have the affirmative duty to disclose to the retirement board whether or not he or she is a
31 vested member in any other retirement system and/or is receiving a pension, retirement allowance,
32 or any annual payment for life. The retirement board shall have the right to investigate as to whether
33 or not the member has utilized the same time of service for credit in any other retirement system.
34 The member has an affirmative duty to cooperate with the retirement board including, by way of

1 illustration and not by way of limitation, the duty to furnish or have furnished to the retirement
2 board any relevant information that is protected by any privacy act.

3 (i) A member who fails to cooperate with the retirement board shall not have the time of
4 service credit counted toward total service credit until the time the member cooperates with the
5 retirement board and until the time the retirement board determines the validity of the service credit.

6 (j) A member who knowingly makes a false statement to the retirement board regarding
7 service time or credit shall not be entitled to a retirement allowance and is entitled only to the return
8 of his or her contributions without interest.

9 SECTION 2. Section 36-10-9 of the General Laws in Chapter 36-10 entitled "Retirement
10 System — Contributions and Benefits" is hereby amended to read as follows:

11 **36-10-9. Retirement on service allowance — In general.**

12 Retirement of a member on a service retirement allowance shall be made by the retirement
13 board as follows:

14 (1)(a)(i) Any member may retire upon his or her written application to the retirement board
15 as of the first day of the calendar month in which the application was filed; provided, the member
16 was separated from service prior thereto; and further provided, however, that if separation from
17 service occurs during the month in which application is filed, the effective date shall be the first
18 day following that separation from service; and provided further that the member on his or her
19 retirement date attained the age of sixty (60) and completed at least ten (10) years of contributory
20 service on or before July 1, 2005, or who, regardless of age, has completed twenty-eight (28) years
21 of total service and has completed at least ten (10) years of contributory service on or before July
22 1, 2005, and who retire before October 1, 2009, or are eligible to retire as of September 30, 2009.

23 (ii) For members who become eligible to retire on or after October 1, 2009, and prior to
24 July 1, 2012, benefits are available to members who have attained the age of sixty-two (62) and
25 completed at least ten (10) years of contributory service. For members in service as of October 1,
26 2009, who were not eligible to retire as of September 30, 2009, but become eligible to retire prior
27 to July 1, 2012, the minimum retirement age of sixty-two (62) will be adjusted downward in
28 proportion to the amount of service the member has earned as of September 30, 2009. The
29 proportional formula shall work as follows:

30 (1) The formula shall determine the first age of retirement eligibility under the laws in
31 effect on September 30, 2009, which shall then be subtracted from the minimum retirement age of
32 sixty-two (62).

33 (2) The formula shall then take the member's total service credit as of September 30, 2009,
34 as the numerator and the years of service credit determined under (1) as the denominator.

1 (3) The fraction determined in (2) shall then be multiplied by the age difference determined
2 in (1) to apply a reduction in years from age sixty-two (62).

3 (b)(i) Any member, who has not completed at least ten (10) years of contributory service
4 on or before July 1, 2005, may retire upon his or her written application to the retirement board as
5 of the first day of the calendar month in which the application was filed; provided, the member was
6 separated from service prior thereto; and further provided, however, that if separation from service
7 occurs during the month in which application is filed, the effective date shall be the first day
8 following that separation from service; provided, the member or his or her retirement date had
9 attained the age of fifty-nine (59) and had completed at least twenty-nine (29) years of total service
10 or provided that the member on his or her retirement date had attained the age of sixty-five (65)
11 and had completed at least ten (10) years of contributory service; or provided, that the member on
12 his or her retirement date had attained the age of fifty-five (55) and had completed twenty (20)
13 years of total service provided, that the retirement allowance, as determined according to the
14 formula in § 36-10-10 is reduced actuarially for each month that the age of the member is less than
15 sixty-five (65) years, and who retire before October 1, 2009, or are eligible to retire as of September
16 30, 2009.

17 (ii) For members who become eligible to retire on or after October 1, 2009 and prior to
18 July 1, 2012, benefits are available to members who have attained the age of sixty-two (62) and
19 completed at least twenty-nine (29) years of total service or have attained the age of sixty-five (65)
20 and completed at least ten (10) years of contributory service. For members in service as of October
21 1, 2009, who were not eligible to retire as of September 30, 2009, but become eligible to retire prior
22 to July 1, 2012, who have a minimum retirement age of sixty-two (62), the retirement age will be
23 adjusted downward in proportion to the amount of service the member has earned as of September
24 30, 2009. The proportional formula shall work as follows:

25 (1) The formula shall determine the first age of retirement eligibility under the laws in
26 effect on September 30, 2009, which shall then be subtracted from the minimum retirement age of
27 sixty-two (62).

28 (2) The formula shall then take the member's total service credit as of September 30, 2009,
29 as the numerator and the years of service credit determined under (1) as the denominator.

30 (3) The fraction determined in (2) above shall then be multiplied by the age difference
31 determined in (1) to apply a reduction in years from age sixty-two (62).

32 (c) Effective July 1, 2012, the following shall apply to all members not eligible to retire
33 prior to July 1, 2012:

34 (i) A member with contributory service on or after July 1, 2012, shall be eligible to retire

1 upon the completion of at least five (5) years of contributory service and attainment of the member's
2 Social Security retirement age.

3 (ii) For members with five (5) or more years of contributory service as of June 30, 2012,
4 with contributory service on and after July 1, 2012, who have a retirement age of Social Security
5 Retirement Age, the retirement age will be adjusted downward in proportion to the amount of
6 service the member has earned as of June 30, 2012, but in no event shall a member's retirement
7 age under this subparagraph (ii) be prior to the attainment of age fifty-nine (59) or prior to the
8 member's retirement age determined under the laws in effect on June 30, 2012. The proportional
9 formula shall work as follows:

10 (1) The formula shall determine the first age of retirement eligibility under the laws in
11 effect on June 30, 2012, which shall then be subtracted from Social Security retirement age;

12 (2) The formula shall then take the member's total service credit as of June 30, 2012, as
13 the numerator and the projected service at retirement age in effect on June 30, 2012, as the
14 denominator;

15 (3) The fraction determined in (2) shall then be multiplied by the age difference determined
16 in (1) to apply a reduction in years from Social Security retirement age.

17 (iii) Effective July 1, 2015, a member who has completed twenty (20) or more years of
18 total service and who has attained an age within five (5) years of the eligible retirement age under
19 subparagraphs (c)(i) or (c)(ii) above or subsection (d) below, may elect to retire provided that the
20 retirement allowance shall be reduced actuarially for each month that the age of the member is less
21 than the eligible retirement age under subparagraphs (c)(i) or (c)(ii) above or subsection (d) below
22 in accordance with the following table:

23 Year Preceding Retirement	Cumulative Annual Reduction	Cumulative Monthly
24 Reduction		
25 For Year 1	9%	.75%
26 For Year 2	8%	.667%
27 For Year 3	7%	.583%
28 For Year 4	7%	.583%
29 For Year 5	7%	.583%

30 (iv) Notwithstanding any other provisions of section 36-10-9(c), a member who has
31 completed ten (10) or more years of contributory service as of June 30, 2012, may elect to retire at
32 his or her eligible retirement date as determined under paragraphs (1)(a) and (1)(b) above provided
33 that a member making an election under this paragraph shall receive the member's retirement
34 benefit determined and calculated based on the member's service and average compensation as of

1 June 30, 2012. This provision shall be interpreted and administered in a manner to protect a
2 member's accrued benefit on June 30, 2012.

3 (d)(i) Notwithstanding any other provisions of subsection (c) above, effective July 1, 2015,
4 members in active service shall be eligible to retire upon the earlier of: (A) The attainment of at
5 least age sixty-five (65) and the completion of at least thirty (30) years of total service, or the
6 attainment of at least age sixty-four (64) and the completion of at least thirty-one (31) years of total
7 service, or the attainment of at least age sixty-three (63) and the completion of at least thirty-two
8 (32) years of total service, or the attainment of at least age sixty-two (62) and the completion of at
9 least thirty-three (33) years of total service; or (B) The member's retirement eligibility date under
10 subsections (c)(i) or (c)(ii) above.

11 (ii) Notwithstanding any other provisions of subsections (c) or (d)(i) of this section,
12 commencing July 1, 2026, members in active service who have at least twenty-eight (28) years of
13 total service, shall be eligible to retire upon the earlier of:

14 (A) When the members' age when combined with their number of years of service, totals
15 the number eighty-five (85); or

16 (B) The members' retirement eligibility date under subsections (c)(i) or (c)(ii) of this
17 section.

18 (2) Any faculty employee at a public institution of higher education under the jurisdiction
19 of the council on postsecondary education shall not be involuntarily retired upon attaining the age
20 of seventy (70) years.

21 (3)(i) Except as specifically provided in § 36-10-9.1, §§ 36-10-12 — 36-10-15, and §§ 45-
22 21-19 — 45-21-22, (I) On or prior to June 30, 2012 no member shall be eligible for pension benefits
23 under this chapter unless the member shall have been a contributing member of the employee's
24 retirement system for at least ten (10) years, or (II) For members in active contributory service on
25 or after July 1, 2012, the member shall have been a contributing member of the retirement system
26 for at least five (5) years.

27 (ii) Provided, however, a person who has ten (10) years service credit on or before June 16,
28 1991, shall be vested.

29 (iii) Furthermore, any past service credits purchased in accordance with § 36-9-38 shall be
30 counted towards vesting.

31 (iv) Any person who becomes a member of the employees' retirement system pursuant to
32 § 45-21-4 shall be considered a contributing member for the purpose of chapter 21 of title 45 and
33 this chapter.

34 (v) Notwithstanding any other provision of law, no more than five (5) years of service

1 credit may be purchased by a member of the system. The five (5) year limit shall not apply to any
2 purchases made prior to January 1, 1995. A member who has purchased more than five (5) years
3 of service credits before January 1, 1995, shall be permitted to apply those purchases towards the
4 member's service retirement. However, no further purchase will be permitted. Repayment in
5 accordance with applicable law and regulation of any contribution previously withdrawn from the
6 system shall not be deemed a purchase of service credit.

7 (vi) Notwithstanding any other provision of law, effective July 1, 2012, except for
8 purchases under §§ 16-16-7.1, 36-5-3, 36-9-31, 36-10-10.4, and 45-21-53, (A) For service
9 purchases for time periods prior to a member's initial date of hire, the purchase must be made
10 within three (3) years of the member's initial date of hire, (B) For service purchases for time periods
11 for official periods of leave as authorized by law, the purchase must be made within three (3) years
12 of the time the official leave was concluded by the member. Notwithstanding the preceding
13 sentence, service purchases from time periods prior to June 30, 2012, may be made on or prior to
14 June 30, 2015.

15 (4) No member of the employees' retirement system shall be permitted to purchase service
16 credits for casual, seasonal, or temporary employment, or emergency appointment, for employment
17 as a page in the general assembly, or for employment at any state college or university while the
18 employee is a student or graduate assistant of the college or university.

19 (5) Except as specifically provided in §§ 16-16-6.2 and 16-16-6.4, a member shall not
20 receive service credit in this retirement system for any year or portion of it, which counts as service
21 credit in any other retirement system in which the member is vested or from which the member is
22 receiving a pension and/or any annual payment for life. This subsection shall not apply to any
23 payments received pursuant to the federal Social Security Act or to payments from a military
24 pension earned prior to participation in state or municipal employment, or to military service credits
25 earned prior to participation in state or municipal employment.

26 (6) A member who seeks to purchase or receive service credit in this retirement system
27 shall have the affirmative duty to disclose to the retirement board whether or not he or she is a
28 vested member in any other retirement system and/or is receiving a pension, retirement allowance,
29 or any annual payment for life. The retirement board shall have the right to investigate as to whether
30 or not the member has utilized the same time of service for credit in any other retirement system.
31 The member has an affirmative duty to cooperate with the retirement board including, by way of
32 illustration and not by way of limitations the duty to furnish or have furnished to the retirement
33 board any relevant information which is protected by any privacy act.

34 (7) A member who fails to cooperate with the retirement board shall not have the time of

1 service counted toward total service credit until such time as the member cooperates with the
2 retirement board and until such time as the retirement board determines the validity of the service
3 credit.

4 (8) A member who knowingly makes a false statement to the retirement board regarding
5 service time or credit shall not be entitled to a retirement allowance and is entitled only to the return
6 of his or her contributions without interest.

7 SECTION 3. Section 45-21-16 of the General Laws in Chapter 45-21 entitled "Retirement
8 of Municipal Employees" is hereby amended to read as follows:

9 **45-21-16. Retirement on service allowance.**

10 Retirement of a member on a service retirement allowance shall be made by the retirement
11 board as follows:

12 (1)(i) Any member who is eligible to retire on or before June 30, 2012, may retire upon the
13 member's written application to the retirement board as of the first day of the calendar month in
14 which the application was filed, provided the member was separated from service prior to the
15 application, and provided, further, that if separation from service occurs during the month in which
16 application is filed, the effective date is the first day following the separation from service, provided
17 that the member at the time so specified for the member's retirement has attained the applicable
18 minimum retirement age and has completed at least ten (10) years of total service or who, regardless
19 of age, completed thirty (30) years of total service, and notwithstanding that during the period of
20 notification the member has separated from service. The minimum ages for service retirement
21 (except for employees completing thirty (30) years of service) is fifty-eight (58) years.

22 (ii) Effective July 1, 2012, the following shall apply to all members not eligible to retire
23 prior to July 1, 2012:

24 (A) A member with contributory service on or after July 1, 2012, shall be eligible to retire
25 upon the completion of at least five (5) years of contributory service and attainment of the member's
26 Social Security retirement age.

27 (B) For members with five (5) or more years of contributory service as of June 30, 2012,
28 with contributory service on and after July 1, 2012, who have a retirement age of Social Security
29 retirement age, the retirement age will be adjusted downward in proportion to the amount of service
30 the member has earned as of June 30, 2012, but in no event shall a member's retirement age under
31 this subparagraph (B) be prior to the attainment of age fifty-nine (59) or prior to the member's
32 retirement age determined under the laws in effect on June 30, 2012. The proportional formula shall
33 work as follows:

34 (1) The formula shall determine the first age of retirement eligibility under the laws in

1 effect on June 30, 2012, which shall then be subtracted from Social Security retirement age;

2 (2) The formula shall then take the member's total service credit as of June 30, 2012, as
3 the numerator and the projected service at retirement age in effect on June 30, 2012, as the
4 denominator;

5 (3) The fraction determined in (2) shall then be multiplied by the age difference determined
6 in (1) to apply a reduction in years from Social Security retirement age.

7 (C) Effective July 1, 2015, a member who has completed twenty (20) or more years of total
8 service and who has attained an age within five (5) years of the eligible retirement age under
9 subparagraphs (ii)(A) or (ii)(B) above or subsection (iii) below, may elect to retire provided that
10 the retirement allowance shall be reduced actuarially for each month that the age of the member is
11 less than the eligible retirement age under subparagraphs (ii)(A) or (ii)(B) above or subsection (iii)
12 below in accordance with the following table:

13 Year Preceding Retirement	Cumulative Annual Reduction	Cumulative	Monthly
14 Reduction			
15 For Year 1	9%		.75%
16 For Year 2	8%		.667%
17 For Year 3	7%		.583%
18 For Year 4	7%		.583%
19 For Year 5	7%		.583%

20 (D)(1) Notwithstanding any other provisions of § 42-21-16(1)(ii), a member who has
21 completed ten (10) or more years of contributory service as of June 30, 2012, may elect to retire at
22 his or her eligible retirement date as determined under paragraph (i) above provided that a member
23 making an election under this paragraph shall receive the member's retirement benefit determined
24 and calculated based on the member's service and average compensation as of June 30, 2012. This
25 provision shall be interpreted and administered in a manner to protect a member's accrued benefit
26 on June 30, 2012.

27 (iii)(A) Notwithstanding any other provisions of subsection (ii) above, effective July 1,
28 2015, members in active service shall be eligible to retire upon the earlier of: (I) The attainment of
29 at least age sixty-five (65) and the completion of at least thirty (30) years of total service, or the
30 attainment of at least age sixty-four (64) and the completion of at least thirty-one (31) years of total
31 service, or the attainment of at least age sixty-three (63) and the completion of at least thirty-two
32 (32) years of total service, or the attainment of at least age sixty-two (62) and the completion of at
33 least thirty-three (33) years of total service; or (II) The member's retirement eligibility date under
34 subsections (ii)(A) or (ii)(B) above.

1 (B) Notwithstanding any other provisions of subsections (ii) or (iii)(A) of this section,
2 commencing July 1, 2026, members in active service who have at least twenty-eight (28) years of
3 total service shall be eligible to retire upon the earlier of:

4 (I) When the members' age when combined with their number of years of service, totals
5 the number eighty-five (85); or

6 (II) The member's retirement eligibility date under subsections (ii)(A) or (ii)(B) of this
7 section.

8 (2) Except as specifically provided in §§ 45-21-19 — 45-21-22, no member is eligible for
9 pension benefits under this chapter unless:

10 (I) On or prior to June 30, 2012, the member has been a contributing member of the
11 employees' retirement system for at least ten (10) years; or

12 (II) For members in active contributory service on or after July 1, 2012, the member shall
13 have been a contributing member of the employees' retirement system for at least five (5) years.

14 (i) Provided, however, a person who has ten (10) years service credit on or before June 16,
15 1991, is vested.

16 (ii) Furthermore, any past service credits purchased in accordance with § 45-21-62 are
17 counted towards vesting.

18 (iii) Any person who becomes a member of the employees' retirement system pursuant to
19 § 45-21-4 shall be considered a contributing member for the purpose of this chapter.

20 (iv) Notwithstanding any other provision of law, no more than five (5) years of service
21 credit may be purchased by a member of the System. The five (5)-year limit does not apply to any
22 purchases made prior to the effective date of this provision. A member who has purchased more
23 than five (5) years of service credit maximum, before January 1, 1995, shall be permitted to apply
24 the purchases towards the member's service retirement. However, no further purchase will be
25 permitted. Repayment, in accordance with applicable law and regulation, of any contribution
26 previously withdrawn from the System is not deemed a purchase of service credit.

27 (v) Notwithstanding any other provision of law, effective July 1, 2012, except for purchases
28 under §§ 16-16-7.1, 36-5-3, 36-9-31, 36-10-10.4, and 45-21-53:

29 (I) For service purchases for time periods prior to a member's initial date of hire; the
30 purchase must be made within three (3) years of the member's initial date of hire; and

31 (II) For service purchases for time periods for official periods of leave as authorized by
32 law, the purchase must be made within three (3) years of the time the official leave was concluded
33 by the member.

34 Notwithstanding (I) and (II) above, service purchases from time periods prior to June 30,

1 2012, may be made on or prior to June 30, 2015.

2 (3) No member of the municipal employees' retirement system is permitted to purchase
3 service credits for casual, temporary, emergency or seasonal employment, for employment as a
4 page in the general assembly, or for employment at any state college or university while the
5 employee is a student or graduate assistant of the college or university.

6 (4) A member does not receive service credit in this retirement system for any year or
7 portion of a year, which counts as service credit in any other retirement system in which the member
8 is vested or from which the member is receiving a pension and/or any annual payment for life. This
9 subsection does not apply to any payments received pursuant to the federal Social Security Act or
10 to payments from a military pension earned prior to participation in state or municipal employment,
11 or to military service credits earned prior to participation in state or municipal employment.

12 (5) A member who seeks to purchase or receive service credit in this retirement system has
13 the affirmative duty to disclose to the retirement board whether or not he or she is a vested member
14 in any other retirement system and/or is receiving a pension retirement allowance or any annual
15 payment for life. The retirement board has the right to investigate whether or not the member has
16 utilized the same time of service for credit in any other retirement system. The member has an
17 affirmative duty to cooperate with the retirement board including, by way of illustration and not by
18 way of limitation, the duty to furnish or have furnished to the retirement board any relevant
19 information which is protected by any privacy act.

20 (6) A member who fails to cooperate with the retirement board shall not have the time of
21 service counted toward total service credit until a time that the member cooperates with the
22 retirement board and until a time that the retirement board determines the validity of the service
23 credit.

24 (7) A member who knowingly makes a false statement to the retirement board regarding
25 service time or credit is not entitled to a retirement allowance and is entitled only to the return of
26 his or her contributions without interest.

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

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LC005264
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- TEACHERS' RETIREMENT

1 Commencing on July 1, 2026, this act would allow members, state and municipal
2 employees to retire when they have at least twenty-eight (28) years of active service and their
3 retirement age, when combined with the number of their years of service reaches, the number
4 eighty-five (85).

5 This act would take effect upon passage.

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