

2022 -- S 2891

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LC005787
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- FEDERAL OLD-AGE AND
SURVIVORS' INSURANCE

Introduced By: Senators Seveney, DiPalma, Acosta, Miller, Coyne, Gallo, Lombardo,
Anderson, Calkin, and Euer

Date Introduced: April 26, 2022

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 36-7-6 of the General Laws in Chapter 36-7 entitled "Federal Old-
2 Age and Survivors' Insurance" is hereby amended to read as follows:

3 **36-7-6. Subscription to agreement by city, town, or state agency.**

4 [\(a\) For a coverage group that includes all employees of the school district of a municipality,](#)
5 [the municipalities of the state shall subscribe to the federal state agreement as set forth in § 36-7-3](#)
6 [for the purpose of extending benefits of title II of the federal Social Security Act, 42 U.S.C. § 401](#)
7 [et seq., in conformity with applicable provisions of such Act, and with the assistance of the general](#)
8 [treasurer as provided in this chapter.](#)

9 [\(b\) For all employees not covered pursuant to subsection \(a\) of this section, ~~Any~~ any](#) city,
10 town, or agency of the state as defined in § 36-7-2(2) shall have the option of subscribing to the
11 federal state agreement as described in § 36-7-3. The action shall be taken by the adoption of an
12 ordinance, resolution, or vote by the legislative body thereof which shall be the city council in the
13 case of a city, or a financial town meeting in the case of a town, or the board of directors, authority,
14 commissioners, trustees, or other governing body in the case of an agency of the state. The
15 resolution, ordinance, or vote shall indicate its intention of extending the benefits of title II of the
16 federal Social Security Act, 42 U.S.C. § 401 et seq., in conformity with the provisions of that act,
17 to employees of the city, town, or agency of the state as a coverage group, as herein defined. The
18 resolution, ordinance, or vote, to be acceptable, must contain at least the following provisions,

1 requirements, and conditions:

2 (1) To meet fully the requirements of the federal Social Security Act, 42 U.S.C. § 301 et
3 seq., and be in accord with the provisions of the federal state agreement herein provided;

4 (2) To provide that all services which constitute employment as herein defined and are
5 performed in the employ of the city or town or agency of the state by employees thereof, shall be
6 included in the designated coverage group;

7 (3) To specify the source or sources from which funds necessary to make contributions in
8 the amounts and at the rates specified in the federal state agreement, are expected to be derived,
9 and contain reasonable assurance that those sources will at all times be adequate to meet this
10 obligation;

11 (4) To provide for such methods of administration of its plan of participation under the
12 agreement as will insure the proper and effective operation thereof;

13 (5) To provide that the city, town, or agency of the state will make such reports, in such
14 form and containing such information as may be prescribed from time to time by the general
15 treasurer in accordance with directives or regulations of the secretary, and that the city, town, or
16 agency of the state will at all times comply with such other rules or regulations as the general
17 treasurer or the administrator may from time to time prescribe to assure the correctness and
18 verification of the reports.

19 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 require municipalities to ensure that school district employees are eligible
- 2 for social security benefits under title II of the federal Social Security Act, 42 U.S.C. § 401 et seq.
- 3 This act would take effect upon passage.

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