

2017 -- H 5462

LC001266

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES

Introduced By: Representatives O'Brien, Craven, McEntee, Marshall, and Keable

Date Introduced: February 09, 2017

Referred To: House Finance

It is enacted by the General Assembly as follows:

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

3 **36-10-1. Member contributions -- Deduction from compensation.**

4 (a) Prior to July 1, 2012, each member of the retirement system shall contribute an  
5 amount equal to eight and three-quarters percent (8.75%) of his or her compensation as his or her  
6 share of the cost of annuities, benefits, and allowances. Effective July 1, 2012, each member of  
7 the retirement system shall contribute an amount equal to three and three quarters percent  
8 (3.75%) of his or her compensation, except for correctional officers as defined in § 36-10-9.2 who  
9 shall contribute an amount equal to eight and three quarters percent (8.75%) of his or her  
10 compensation. Effective July 1, 2015, each member of the retirement system, except for  
11 correctional officers as defined in § 36-10-9.2, with twenty (20) or more years of total service as  
12 of June 30, 2012 shall contribute an amount equal to eleven percent (11%) of compensation.  
13 Effective July 1, 2017, state employees employed as deputy sheriffs, capitol police officers,  
14 environmental police officers, juvenile program workers, shift coordinators, firefighters, crew  
15 chiefs, assistant chiefs, and campus police officers employed the state of Rhode Island and/or  
16 executive military staff shall contribute an amount equal to ten percent (10%) of compensation.

17 The contributions shall be made in the form of deductions from compensation.

18 (b) The deductions provided for herein shall be made notwithstanding that the minimum  
19 compensation provided by law for any member shall be reduced thereby. Every member shall be

1 deemed to consent and agree to the deductions made and provided for herein and receipt of his or  
2 her full compensation and payment of compensation, less the deductions, shall be a full and  
3 complete discharge and acquittance of all claims and demands whatsoever for the services  
4 rendered by the person during the period covered by the payment except as to the benefit  
5 provided under this chapter.

6 SECTION 2. Section 36-10.3-1 of the General Laws in Chapter 36-10.3 entitled "Defined  
7 Contribution Retirement Plan" is hereby amended to read as follows:

8 **36-10.3-1. Definitions.**

9 As used in this chapter, the following terms, unless the context requires a different  
10 interpretation, shall have the following meanings:

11 (1) "Compensation" means compensation as defined in section 36-8-1(8).

12 (2) "Employee" means an employee as defined in §§ 36-8-1(9) and 45-21-2(7) and a  
13 teacher as defined in § 16-16-1(12), effective July 1, 2012; provided however, effective July 1,  
14 2015, "employee" shall not include any employee with twenty (20) or more years of total service  
15 as of June 30, 2012 in the employees retirement system under chapters 8 through 10 of title 36 or  
16 chapter 16 of title 16 (ERS), or the municipal employees retirement system under chapter 21 of  
17 title 45 (MERS); provided, however, effective July 1, 2017, "employee" shall not include deputy  
18 sheriffs, capitol police officers, environmental police officers, juvenile program workers, shift  
19 coordinators, firefighters, crew chiefs, assistant chiefs, and campus police officers employed by  
20 the state of Rhode Island and/or executive military staff.

21 (3) "Employer" means the State of Rhode Island or the local municipality which employs  
22 a member of the Employees Retirement System under chapters 8 through 10 of title 36 or chapter  
23 16 of title 16 (ERS) or the Municipal Employees Retirement System under chapters 21 and 21.2  
24 of title 45 (MERS).

25 (4) "Plan" means the retirement plan established by this chapter.

26 (5) A "public safety member" shall mean a member of MERS who is a municipal fire  
27 fighter or a municipal policeman or policewoman as defined in § 45-21.2-2 who does not  
28 participate in Social Security under the Federal Old Age, Survivors, and Disability income  
29 program.

30 (6) "Regular member" means:

31 (i) An employee who is a member of ERS other than correctional officers as defined in §  
32 36-10-9.2; or

33 (ii) An employee who is a member of MERS other than a public safety member.

34 (7) The "retirement board" or "board" shall mean the retirement board of the Employees

1 Retirement System of Rhode Island as defined in Chapter 36-8. The retirement board shall be the  
2 plan administrator and plan trustee and shall administer the plan in accordance with § 36-8-4.1.

3 (8) "State investment commission" or "commission" means the state investment  
4 commission as defined in § 35-10-1.

5 (9) "Supplemental employer" includes any employer that provides supplemental  
6 contributions to the defined contribution retirement plan as provided in § 36-10.3-3.

7 (10) "Supplemental member" is defined in § 36-10.3-3.

8 SECTION 3. Chapter 36-10 of the General Laws entitled "Retirement System-  
9 Contributions and Benefits" is hereby amended by adding thereto the following section:

10 **36-10-9.8. Retirement on service allowance -- State law enforcement professionals.**

11 (a) Effective July 1, 2017, notwithstanding any special law or general law, rule or  
12 regulation to the contrary, state employees employed as deputy sheriffs, capitol police officers,  
13 environmental police officers, juvenile program workers, shift coordinators, firefighters, crew  
14 chiefs, assistant chiefs, and campus police officers employed by the state of Rhode Island and/or  
15 executive military staff shall be entitled to the benefits provided by §§45-21.2-5, 45-21.2-6, 45-  
16 21.2-10, 45-21.2-11, 45-21.2-12, and 45-21.2-13.

17 (b) For members identified in subsection (a) of this section, service credits earned prior to  
18 July 1, 2017, shall be determined by the laws in effect on June 30, 2017.

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

=====  
LC001266  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PUBLIC OFFICERS AND EMPLOYEES

\*\*\*

1           This act would move state employee public safety professionals from the state retirement  
2 system to the municipal retirement system, effective July 1, 2017. It would set their retirement  
3 contribution to ten percent (10%) of their compensation.

4           This act would take effect upon passage.

=====  
LC001266  
=====