

2023 -- H 5812

LC001389

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

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

Introduced By: Representative William W. O'Brien

Date Introduced: February 22, 2023

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 amount  
5 equal to eight and three-quarters percent (8.75%) of his or her compensation as his or her share of  
6 the cost of annuities, benefits, and allowances. Effective July 1, 2012, each member of the  
7 retirement system shall contribute an amount equal to three and three quarters percent (3.75%) of  
8 his or her compensation, except for correctional officers as defined in § 36-10-9.2 who shall  
9 contribute an amount equal to eight and three quarters percent (8.75%) of his or her compensation.  
10 Effective July 1, 2015, each member of the retirement system, except for correctional officers as  
11 defined in § 36-10-9.2, with twenty (20) or more years of total service as of June 30, 2012 shall  
12 contribute an amount equal to eleven percent (11%) of compensation. The contributions shall be  
13 made in the form of deductions from compensation. [Effective July 1, 2023, state employees](#)  
14 [employed as environmental police officers by the department of environmental management shall](#)  
15 [contribute an amount equal to ten percent \(10%\) of their compensation.](#)

16 (b) The deductions provided for herein shall be made notwithstanding that the minimum  
17 compensation provided by law for any member shall be reduced thereby. Every member shall be  
18 deemed to consent and agree to the deductions made and provided for herein and receipt of his or

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

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

7 **36-10.3-1. Definitions.**

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

10 (1) "Compensation" means compensation as defined in § 36-8-1(8).

11 (2) "Employee" means an employee as defined in §§ 36-8-1(9) and 45-21-2(7) and a  
12 teacher as defined in § 16-16-1(12), effective July 1, 2012; provided however, effective July 1,  
13 2015, "employee" shall not include any employee with twenty (20) or more years of total service  
14 as of June 30, 2012, in the employees retirement system under chapters 8 through 10 of title 36 or  
15 chapter 16 of title 16 (ERS), or the municipal employees retirement system under chapter 21 of  
16 title 45 (MERS); provided, however, effective July 1, 2023, "employee" shall not include  
17 environmental police officers employed by the department of environmental management.

18 (3) "Employer" means the State of Rhode Island or the local municipality which employs  
19 a member of the Employees Retirement System under chapters 8 through 10 of title 36 or chapter  
20 16 of title 16 (ERS) or the Municipal Employees Retirement System under chapters 21 and 21.2 of  
21 title 45 (MERS).

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

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

26 (6) "Regular member" means:

27 (i) An employee who is a member of ERS other than correctional officers as defined in §  
28 36-10-9.2; or

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

30 (7) The "retirement board" or "board" shall mean the retirement board of the Employees  
31 Retirement System of Rhode Island as defined in chapter 8 of this title. The retirement board shall  
32 be the plan administrator and plan trustee and shall administer the plan in accordance with § 36-8-  
33 4.1.

34 (8) "State investment commission" or "commission" means the state investment

1 commission as defined in § 35-10-1.

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

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

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

7 **36-10-9.8. Retirement on service allowance -- State law enforcement professionals.**

8 Effective July 1, 2023, notwithstanding any special law or general law, rule or regulation  
9 to the contrary, state employees employed as environmental police officers employed by the  
10 department of environmental management shall be entitled to the benefits provided by §§ 45-21.2-  
11 5, 45-21.2-6, 45-21.2-10, 45-21.2-11, 45-21.2-12, and 45-21.2-13.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM --  
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1           This act would, effective July 1, 2023, entitle environmental police officers to the benefits  
2 provided by chapter 21.2 of title 45 entitled "Optional retirement for members of police force and  
3 firefighters."

4           This act would take effect upon passage.

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