

2018 -- H 7118

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO TOWNS AND CITIES - PATHWAY TO RETIREMENT SECURITY ACT  
FOR LOCALLY ADMINISTERED PENSION FUNDS

Introduced By: Representatives Vella-Wilkinson, McNamara, Casey, Messier, and  
Jacquard

Date Introduced: January 11, 2018

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-65 of the General Laws entitled "Retirement Security Act for  
2 Locally Administered Pension Funds" is hereby amended by adding thereto the following section:

3 **45-65-11. Diversion of pension funds.**

4 (a) Subject to the provisions of subsection (b) of this section, a municipality shall not  
5 divert existing pension funds or funds necessary for its contributions to the plan, to the state.

6 (b) In the event that an emergency or unforeseen circumstance prevents a municipality  
7 from making a required contribution to its plan, or requires the municipality to divert pension  
8 funds to the state, then in the event the nonpayment or diversion of funds shall require, after a  
9 public hearing, the approval of the town or city council, or applicable decision-making body. All  
10 employees of the plan shall be provided with a minimum of thirty (30) days written notice of the  
11 public hearing.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO TOWNS AND CITIES - PATHWAY TO RETIREMENT SECURITY ACT  
FOR LOCALLY ADMINISTERED PENSION FUNDS

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1           This act would provide that municipal pension funds only be diverted to the state upon  
2 approval of the applicable decision-making body after a public hearing, and a minimum of thirty  
3 (30) days prior written notice to affected employees.

4           This act would take effect upon passage.

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