

2012 -- S 2726

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LC01960
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM

Introduced By: Senators McCaffrey, and Lynch

Date Introduced: March 06, 2012

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 36-9-5 of the General Laws in Chapter 36-9 entitled "Retirement
2 System-Membership and Service Credits" is hereby amended to read as follows:

3 **36-9-5. Officers and employees exempt -- Former court judges and clerks.** -- (a) The
4 members of the general assembly and the general officers of the state, except to the extent herein
5 provided, the judges of the supreme, superior, family, district courts, the traffic tribunal, judges of
6 the workers' compensation court except to the extent herein provided, school teachers as defined
7 by section 16-16-1 except to the extent provided by chapter 17 of title 16, and members of the
8 Rhode Island state police shall be exempt from the provisions of chapters 8 -- 10 of this title;
9 provided, however, that any justice or associate justice or judge of the supreme court, superior
10 court, family court, district court, or traffic tribunal, chairperson of the workers' compensation
11 court, or judge of the workers' compensation court who was a member of the retirement system
12 prior to becoming a justice or associate justice or judge, shall, upon his or her filing with the
13 retirement board a written waiver of all benefits under the provisions of sections 8-3-7 -- 8-3-11
14 or 28-30-15 -- 28-30-18 be permitted to elect to remain a member of the retirement system by
15 paying into the retirement system such sums as provided in section 36-10-1 computed on his or
16 her salary as a justice, associate justice, or judge and shall be eligible for all benefits under this
17 title.

18 (b) Any justice, associate justice, or judge who shall have retired in accordance with the
19 provisions of this section and who shall be recalled to service shall be recalled in accordance with

1 the provisions of section 8-3-7~~(e)~~, [section 8-3-8](#), section 28-30-15(b), or section 28-30-16, or
2 section 28-30-16.1.

3 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 correct outdated statutory references concerning retired judges.
- 2 This act would take effect upon passage.

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