

Rep. Pratt, Rock. 4
Rep. Simon, Graf. 1
Rep. Trottier, Belk. 8
Rep. Bordes, Belk. 5
Rep. C. McGuire, Merr. 27
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2023-0483h
10/08

Amendment to HB 436-FN-LOCAL

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 New Paragraph; Definition; Vested. Amend RSA 100-A:1 by inserting after paragraph
4 XXXVII the following new paragraph:

5 XXXVIII. "Vested" means that a member is qualified for a benefit upon 10 years of service.
6 The calculations of earnable compensation under RSA 100-A:1, XVII and average final compensation
7 under RSA 100-A:1, XVIII cannot be reduced after 3 years of service.

8 2 Definition of Earnable Compensation; Group II. Amend RSA 100-A:1, XVII to read as follows:

9 XVII. "Earnable compensation" shall mean:

10 (a) For **group I** members who have attained vested status prior to January 1, 2012 the
11 full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday
12 and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance
13 stipend or bonus, additional pay for extracurricular and instructional activities for full-time teachers
14 and full-time employees who are employed in paraprofessional or support position, additional pay for
15 instructional activities of full-time faculty of the community college system, and any military
16 differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the
17 member for meals or living quarters if subject to federal income tax, but excluding other
18 compensation except cash incentives paid by an employer to encourage members to retire,
19 supplemental pay paid by the employer while the member is receiving workers' compensation, and
20 teacher development pay that is not part of the contracted annual salary. ~~[Compensation for extra~~
21 ~~and special duty, as reported by the employer, shall be included but limited during the highest 3~~
22 ~~years of creditable service as provided in paragraph XVIII].~~ However, earnable compensation in the
23 final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2
24 times the higher of the earnable compensation in the 12-month period preceding the final 12 months
25 or the highest compensation year as determined for the purpose of calculating average final
26 compensation, but excluding the final 12 months. Any compensation received in the final 12 months
27 of employment in excess of such limit shall not be subject to member or employer contributions to
28 the retirement system and shall not be considered in the computation of average final compensation.
29 Provided that, the annual compensation limit for members of governmental defined benefit pension

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1 plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended,
2 shall apply to earnable compensation for all employees~~[, permanent firemen, and~~ **and** teachers~~, permanent firemen, and~~
3 ~~permanent policemen]~~ who first become eligible for membership in the system on or after July 1,
4 1996. Earnable compensation shall not include compensation in any form paid later than 120 days
5 after the member's termination of employment from a retirement eligible position, with the limited
6 exceptions of disability related severance pay paid to a member or retiree no later than 120 days
7 after a decision by the board of trustees granting the member or retiree disability retirement
8 benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid
9 within 120 days after termination but which, without the consent of the member and not through
10 any fault of the member, was paid more than 120 days after the member's termination. The member
11 shall have the burden of proving to the board of trustees that any severance payment paid later than
12 120 days after the member's termination of employment is earnable compensation and meets the
13 requirements of an asserted exception to the 120-day post-termination payment requirement.

14 (b)(1) For **group I** members who have not attained vested status prior to January 1,
15 2012, the full base rate of compensation paid, as determined by the employer, plus compensation
16 over base pay. Compensation over base pay shall include as applicable, subject to subparagraphs
17 (2)~~[(3), and (4)]~~ **and (3)**, any overtime pay, cost of living bonus, annual attendance stipend or
18 bonus, annual longevity pay, additional pay for extracurricular and instructional activities for full-
19 time teachers and full-time employees who are employed in paraprofessional or support position,
20 additional pay for instructional activities of full-time faculty of the community college system[,
21 ~~compensation for extra and special duty,~~] and any military differential pay, plus the fair market
22 value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if
23 subject to federal income tax, but excluding other compensation except supplemental pay paid by the
24 employer while the member is receiving workers' compensation and teacher development pay that is
25 not part of the contracted annual salary.

26 (2) ~~[Compensation over base pay shall be limited during the highest 5 years of~~
27 ~~creditable service as provided in paragraph XVIII.~~

28 (3) Earnable compensation shall not include compensation for extra and special
29 duty for members who commence service on and after July 1, 2011.

30 (4) (3) Earnable compensation shall not include incentives to encourage members
31 to retire, severance pay or end-of-career additional longevity payments, and pay for unused sick or
32 vacation time. Earnable compensation in the final 12 months of creditable service prior to
33 termination of employment shall be limited to 1 1/2 times the higher of the earnable compensation in
34 the 12-month period preceding the final 12 months or the highest compensation year as determined
35 for the purpose of calculating average final compensation, but excluding the final 12 months. Any
36 compensation received in the final 12 months of employment in excess of such limit shall not be
37 subject to member or employer contributions to the retirement system and shall not be considered in

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1 the computation of average final compensation. Provided that, the annual compensation limit for
2 members of governmental defined benefit pension plans under section 401(a)(17) of the United
3 States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all
4 employees[,] **and** teachers[, ~~permanent firemen, and permanent policemen~~] who first become eligible
5 for membership in the system on or after July 1, 1996. Earnable compensation shall not include
6 compensation in any form paid later than 120 days after the member's termination of employment
7 from a retirement eligible position.

8 *(c) For group II members who have attained vested status prior to January 1,*
9 *2013, the full base rate of compensation paid, as determined by the employer, plus any*
10 *overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living*
11 *bonus, annual attendance stipend or bonus, additional pay for instructional activities,*
12 *and any military differential pay, plus the fair market value of non-cash compensation*
13 *paid to, or on behalf of, the member for meals or living quarters if subject to federal income*
14 *tax, but excluding other compensation except cash incentives paid by an employer to*
15 *encourage members to retire, supplemental pay paid by the employer while the member is*
16 *receiving workers' compensation. Compensation for extra and special duty, as reported by*
17 *the employer, shall be included but limited during the highest 3 years of creditable service*
18 *as provided in paragraph XVIII. However, earnable compensation in the final 12 months*
19 *of creditable service prior to termination of employment shall be limited to 1-1/2 times the*
20 *higher of the earnable compensation in the 12-month period preceding the final 12 months*
21 *or the highest compensation year as determined for the purpose of calculating average*
22 *final compensation, but excluding the final 12 months. Any compensation received in the*
23 *final 12 months of employment in excess of such limit shall not be subject to member or*
24 *employer contributions to the retirement system and shall not be considered in the*
25 *computation of average final compensation. Provided that, the annual compensation limit*
26 *for members of governmental defined benefit pension plans under section 401(a)(17) of the*
27 *United States Internal Revenue Code of 1986, as amended, shall apply to earnable*
28 *compensation for all permanent firemen and permanent policemen who first become*
29 *eligible for membership in the system on or after July 1, 1996. Earnable compensation*
30 *shall not include compensation in any form paid later than 120 days after the member's*
31 *termination of employment from a retirement eligible position, with the limited exceptions*
32 *of disability related severance pay paid to a member or retiree no later than 120 days after*
33 *a decision by the board of trustees granting the member or retiree disability retirement*
34 *benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be*
35 *paid within 120 days after termination but which, without the consent of the member and*
36 *not through any fault of the member, was paid more than 120 days after the member's*
37 *termination. The member shall have the burden of proving to the board of trustees that*

1 *any severance payment paid later than 120 days after the member's termination of*
2 *employment is earnable compensation and meets the requirements of an asserted exception*
3 *to the 120-day post-termination payment requirement.*

4 *(d)(1) For group II members who have not attained vested status prior to*
5 *January 1, 2013, the full base rate of compensation paid, as determined by the employer,*
6 *plus compensation over base pay. Compensation over base pay shall include as applicable,*
7 *subject to subparagraphs (2), and (3), any overtime pay, cost of living bonus, annual*
8 *attendance stipend or bonus, annual longevity pay, compensation for extra and special*
9 *duty, and any military differential pay, plus the fair market value of non-cash*
10 *compensation paid to, or on behalf of, the member for meals or living quarters if subject to*
11 *federal income tax, but excluding other compensation except supplemental pay paid by the*
12 *employer while the member is receiving workers' compensation that is not part of the*
13 *contracted annual salary.*

14 *(2) Earnable compensation shall not include compensation for extra and*
15 *special duty for members who commence service on and after July 1, 2011.*

16 *(3) Earnable compensation shall not include incentives to encourage*
17 *members to retire, severance pay or end-of-career additional longevity payments, and pay*
18 *for unused sick or vacation time. Earnable compensation in the final 12 months of*
19 *creditable service prior to termination of employment shall be limited to 1 1/2 times the*
20 *higher of the earnable compensation in the 12-month period preceding the final 12 months*
21 *or the highest compensation year as determined for the purpose of calculating average*
22 *final compensation, but excluding the final 12 months. Any compensation received in the*
23 *final 12 months of employment in excess of such limit shall not be subject to member or*
24 *employer contributions to the retirement system and shall not be considered in the*
25 *computation of average final compensation. Provided that, the annual compensation limit*
26 *for members of governmental defined benefit pension plans under section 401(a)(17) of the*
27 *United States Internal Revenue Code of 1986, as amended, shall apply to earnable*
28 *compensation for all permanent firemen and permanent policemen who first become*
29 *eligible for membership in the system on or after July 1, 1996. Earnable compensation*
30 *shall not include compensation in any form paid later than 120 days after the member's*
31 *termination of employment from a retirement eligible position.*

32 3 Definition of Average Final Compensation; Group II. Amend RSA 100-A:1, XVIII to read as
33 follows:

34 XVIII. "Average final compensation" shall mean:

35 (a) For **group I** members who have attained vested status prior to January 1, 2012, the
36 average annual earnable compensation of a member during his or her highest 3 years of creditable
37 service, or during all of the years in his or her creditable service if less than 3 years. [For purposes

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1 of this calculation, the inclusion of the average annual compensation for extra and special duty in
2 the 3 years shall not exceed the average annual amount of compensation for extra and special duty
3 paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as
4 reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her
5 creditable service on or after July 1, 2009 if less than 7 years.]

6 (b) *For group II members who have attained vested status prior to January 1,*
7 *2013, the average annual earnable compensation of a member during his or her highest 3*
8 *years of creditable service, or during all of the years in his or her creditable service if less*
9 *than 3 years. For purposes of this calculation, the inclusion of the average annual*
10 *compensation for extra and special duty in the 3 years shall not exceed the average annual*
11 *amount of compensation for extra and special duty paid to the member over the member's*
12 *last 7 years of creditable service on or after July 1, 2009, as reported by the employer in*
13 *accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on*
14 *or after July 1, 2009 if less than 7 years.*

15 [(b)] (c) For group I members who commenced service on or after July 1, 2011 or who
16 have not attained vested status prior to January 1, 2012, the average annual earnable compensation
17 of a member during his or her highest 5 years of creditable service, or during all of the years in his or
18 her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average
19 percentage of compensation paid in excess of the full base rate of compensation in the highest 5
20 years shall not exceed the average percentage of compensation paid in excess of the full base rate of
21 compensation over all the member's years of service on or after January 1, 2012, but excluding the
22 highest 5 years.

23 [(c)(1)] (d)(1) For group II members who commenced service prior to July 1, 2011 and
24 who have not attained vested status prior to January 1, [2012] **2013**, the average annual earnable
25 compensation of a member during his or her highest 5 years of creditable service, or during all of the
26 years in his or her creditable service if less than 5 years. For purposes of inclusion in this
27 calculation, the average percentage of compensation paid in excess of the full base rate of
28 compensation in the highest 5 years shall not exceed the average percentage of compensation paid in
29 excess of the full base rate of compensation over all the member's years of service on or after
30 January 1, **2013**.

31 (2) For group II members who commenced service on or after July 1, 2011 [~~and who~~
32 ~~have not attained vested status prior to January 1, 2012~~], the average annual earnable
33 compensation of a member during his or her highest 5 years of creditable service, or during all of the
34 years in his or her creditable service if less than 5 years. For purposes of inclusion in this
35 calculation, the average percentage of compensation paid in excess of the full base rate of
36 compensation in the highest 5 years shall not exceed the average percentage of compensation paid in

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1 excess of the full base rate of compensation over all the member's years of service on or after
2 January 1, 2012, but excluding the highest 5 years.

3 4 Group II Service Retirement Benefits. Amend RSA 100-A:5, II to read as follows:

4 II. Group II Members.

5 (a) Any group II member in service, who is in vested status before January 1, ~~[2012]~~
6 **2013**, who has attained age 45 and completed 20 years of creditable service, and any group II
7 member who commenced service on or after July 1, 2011 who has attained age 50 and completed 25
8 years of creditable service, and group II members who have not attained vested status prior to
9 January 1, ~~[2012]~~ **2013** as provided in the transition provisions in RSA 100-A:5, II(d), or any group II
10 member in service who has attained age 60 regardless of the number of years of creditable service,
11 may retire on a service retirement allowance upon written application to the board of trustees
12 setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing
13 thereof the member desires to be retired, notwithstanding that during such period of notification the
14 member may have separated from service. Provided, however, that a group II member who
15 commenced service on or after July 1, 2011 shall not receive a service retirement allowance until
16 attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at
17 least 25 years of creditable service where the allowance shall be reduced, for each month by which
18 the date on which benefits commence precedes the month after which the member attains 52.5 years
19 of age, by 1/4 of one percent.

20 (b) Upon service retirement, a group II member shall receive a service retirement
21 allowance which shall consist of:

22 (1) A member annuity which shall be the actuarial equivalent of his or her
23 accumulated contributions at the time of retirement; and

24 (2) For members who are in vested status before January 1, ~~[2012]~~ **2013**, a state
25 annuity which, together with his or her member annuity, shall be equal to 2- 1/2 percent of his or her
26 average final compensation multiplied by the number of years of his or her creditable service not in
27 excess of 40 years, or for members who commenced service on or after July 1, 2011, a state annuity
28 which, together with his or her member annuity, shall be equal to 2 percent of his or her average
29 final compensation multiplied by the number of years of his or her creditable service not in excess of
30 42.5 years, and group II members who have not attained vested status prior to January 1, ~~[2012]~~
31 **2013** shall be as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum
32 number of years of creditable service not in excess of 40.5 years.

33 (3) Provided, however, that a group II member who commenced service on or after
34 July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may
35 receive a reduced allowance after age 50 if the member has at least 25 years of creditable service
36 where the allowance shall be reduced, for each month by which the date on which benefits commence
37 precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

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(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who is in vested status before January 1, ~~2012~~ **2013** and has retired on or after the effective date of this subparagraph after attaining the age of 45 with at least 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 and retires after the effective date of this subparagraph after attaining the age of 50 with at least 25 years of creditable service, and group II members who have not attained vested status prior to January 1, ~~2012~~ **2013** who qualify as provided in the transition provisions in RSA 100-A:5, II(d), shall receive a minimum annual service retirement allowance of \$10,000. If such group II member has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the \$10,000.

(2) [Repealed.]

(3) [Repealed.]

(d) Active group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, ~~2012~~ **2013** shall be subject to the following transition provisions for years of service required for regular service retirement, the minimum age for regular service retirement, and the multiplier used to calculate the retirement annuity~~[, which shall be applicable on or after January 1, 2012]~~ according to the following table:

Creditable service on	Minimum years	Minimum	Annuity
January 1, 2012	of service	age attained	multiplier
(1) Less than 4 years	24	age 49	2.1%
(2) At least 4 years	23	age 48	2.2%
but less than 6 years			
(3) At least 6 years but	22	age 47	2.3%
less than 8 years			
(4) At least 8 years but	21	age 46	2.4%
less than 10 years]			
(1) Less than 1 year	24	age 49	2.1%
(2) At least 1 years	24	age 49	2.1%
but less than 2 years			
(3) At least 2 years but	24	age 49	2.1%
less than 3 years			
(4) At least 3 years but	24	age 49	2.1%
less than 4 years			
(5) At least 4 years	23	age 48	2.2%
but less than 5 years			
(6) At least 5 years	23	age 48	2.2%
but less than 6 years			

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1	(7) At least 6 years but	22	age 47	2.3%
2	less than 7 years			
3	(8) At least 7 years but	22	age 47	2.3%
4	less than 8 years			
5	(9) At least 8 years but	21	age 46	2.4%
6	less than 9 years			

7 (e) Notwithstanding the transition provisions of subparagraph (d), the member may
8 replace the additional years of service required for minimum retirement age with the years of service
9 that are purchased under RSA 100-A:4, IX. Therefore, allowing the member to retire between the
10 age of 45 and 49 depending upon the years of service purchased. The purchased years under RSA
11 100-A:4, IX shall have an annual multiplier of 2.5 percent regardless of the percentage listed in
12 subparagraph (d).

13 5 Retirement; Maximum Retirement Benefit. Amend RSA 100-A:6-a to read as follows:
14 100-A:6-a Maximum Retirement Benefit.

15 (a) Notwithstanding any other provision of this chapter to the contrary, for members
16 who commenced service before ~~[July 1, 2009]~~ **July 1, 2001**, ~~[or have attained vested status prior to~~
17 ~~January 1, 2012,]~~ a member's initial calculation of the retirement benefit granted under the
18 provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed 100 percent of the member's highest year
19 of earnable compensation.

20 (b) For members who commenced service on or after ~~[July 1, 2009 and have not attained~~
21 ~~vested status prior to January 1, 2012,]~~ **January 1, 2001 and before July 1, 2011**, a member's
22 maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not
23 exceed the lesser of ~~[85]~~ **100** percent of the member's average final compensation or ~~[\$120,000]~~
24 **\$125,000. The maximum benefit shall increase annually 1.25 percent on January 1 of each**
25 **year. The retirement system shall publish the current maximum benefit.**

26 (c) *For members who commenced service on or after July 1, 2011, a member's*
27 *maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6*
28 *shall not exceed the lesser of 85 percent of the member's average final compensation or*
29 *\$125,000. The maximum benefit shall increase annually 1.25 percent on January 1 of each*
30 *year. The retirement system shall publish the current maximum benefit.*

31 (d) Nothing in this section shall affect the ability of a member to receive disability
32 benefits pursuant to RSA 100-A:6, II(b) and (c). This provision shall not limit the application of
33 supplemental allowances.

34 6 Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted
35 in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term
36 "January 1, 2012" with the term "January 1, 2013": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1,
37 XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a);

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1 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6,
2 II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d.

3 7 Subsequent Changes Effective January 1, 2025; Retirement System; Group II; Date Change
4 for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
5 following RSA provisions by replacing the term "January 1, 2013" with the term "January 1, 2014":
6 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1,
7 XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table
8 heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a)
9 and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (9) from the table in RSA 100-A:5, II(d).

10 8 Subsequent Changes Effective January 1, 2026; Retirement System; Group II; Date Change
11 for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
12 following RSA provisions by replacing the term "January 1, 2014" with the term "January 1, 2015":
13 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1,
14 XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table
15 heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a)
16 and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (8) from the table in RSA 100-A:5, II(d).

17 9 Subsequent Changes Effective January 1, 2027; Retirement System; Group II; Date Change
18 for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
19 following RSA provisions by replacing the term "January 1, 2015" with the term "January 1, 2016":
20 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1,
21 XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table
22 heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a)
23 and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (7) from the table in RSA 100-A:5, II(d).

24 10 Subsequent Changes Effective January 1, 2028; Retirement System; Group II; Date Change
25 for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
26 following RSA provisions by replacing the term "January 1, 2016" with the term "January 1, 2017":
27 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1,
28 XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table
29 heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a)
30 and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (6) from the table in RSA 100-A:5, II(d).

31 11 Subsequent Changes Effective January 1, 2029; Retirement System; Group II; Date Change
32 for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
33 following RSA provisions by replacing the term "January 1, 2017" with the term "January 1, 2018":
34 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1,
35 XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table
36 heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a)
37 and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (5) from the table in RSA 100-A:5, II(d).

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12 Subsequent Changes Effective January 1, 2030; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2018" with the term "January 1, 2019": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) -(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (4) from the table in RSA 100-A:5, II(d).

13 Subsequent Changes Effective January 1, 2031; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2019" with the term "January 1, 2020": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) -(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (3) from the table in RSA 100-A:5, II(d).

14 Subsequent Changes Effective January 1, 2032; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2020" with the term "January 1, 2021": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (2) from the table in RSA 100-A:5, II(d).

15 Subsequent Changes Effective January 1, 2033; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions as follows:

I. 21-I:30, VIII; remove "and group II members who have not attained vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d)".

II. 100-A:1, XVII(c); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service prior to July 1, 2011".

III. 100-A:1, XVII(d)(1); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service on or after July 1, 2011".

IV. 100-A:1, XVIII(b); replace "who have not attained vested status prior to January 1, 2021" with "who commenced service prior to July 1, 2011".

V. 100-A:1, XVIII(d)(1); delete subparagraph (1).

VI. 100-A:1, XXXVII (b)(1) and (3); in (1), replace "in vested status before January 1, 2021" with "who commenced service before July 1, 2011", and delete subparagraph (3).

VII. 100-A:5, II(a); replace "who is in vested status before January 1, 2021" with "who commenced service prior to July 1, 2011"; delete "and group II members who have not attained

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1 vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5,
2 II(d).”,

3 VIII. 100-A:5, II(b)(2); replace “who is in vested status before January 1, 2021” with “who
4 commenced service prior to July 1, 2011”; delete “, and group II members who have not attained
5 vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d)
6 with maximum number of years of credible service not in excess of 40.5 years”.

7 IX. 100-A:5, II(c)(1); replace “who is in vested status before January 1, 2021 and” with “who
8 commenced service prior to July 1, 2011”; delete “and group II members who have not attained
9 vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5,
10 II(d).”,

11 X. 100-A:5, II(d), delete the subparagraph.

12 XI. 100-A:6, II(b); replace “in vested status before January 1, 2021” with “who commenced
13 service before July 1, 2011”; delete “and group II members who have not attained vested status prior
14 to January 1, 2021 as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum
15 number of years of credible service not in excess of 40.5 years”.

16 XII. 100-A:6, II(d)(1) and (3); in (1) replace “who are in vested status before January 1, 2021”
17 with “who commenced service before July 1, 2011”, and delete subparagraph (3).

18 XIII. 100-A:10, II(b); replace “who are in vested status before January 1, 2021” with “who
19 commenced service before July 1, 2011”. Delete “and group II members who have not attained
20 vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-
21 A:5, II(d)”.

22 XIV. 100-A:16, I(aa); replace “who is in vested status before January 1, 2021” with “who
23 commenced service prior to July 1, 2011”.

24 XV. 100-A:19-b, II(a) and (c); in (a) replace “who is in vested status before January 1, 2021”
25 with “who commenced service prior to July 1, 2011”, and delete subparagraph (c).

26 XVI. 100-A:19-d; replace “for members who are in vested status with Group II service before
27 January 1, 2012” with “for members who commenced service before July 1, 2011”.

28 16 Funding; Appropriations. The sum of \$25,000,000 per state fiscal year is hereby
29 appropriated to the retirement system to fund the cost of benefits under this act. Such sums shall be
30 transferred on the July 1 each year until 2033. The governor is authorized to draw a warrant for
31 said sums out of any money in the treasury not otherwise appropriated.

32 17 Effective Date.

33 I. Section 7 of this act shall take effect January 1, 2025.

34 II. Section 8 of this act shall take effect January 1, 2026.

35 III. Section 9 of this act shall take effect January 1, 2027.

36 IV. Section 10 of this act shall take effect January 1, 2028.

37 V. Section 11 of this act shall take effect January 1, 2029.

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- 1 VI. Section 12 of this act shall take effect January 1, 2030.
- 2 VII. Section 13 of this act shall take effect January 1, 2031.
- 3 VIII. Section 14 of this act shall take effect January 1, 2032.
- 4 IX. Section 15 of this act shall take effect January 1, 2033.
- 5 X. The remainder of this act shall take effect January 1, 2024.

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AMENDED ANALYSIS

This bill adjusts the transition provisions for group II service retirement adopted in 2011 over a 10 year period until 2033, and makes general fund appropriations each year to fund the cost of the benefits.