

Rep. S. Pearson, Rock. 6
Rep. Schuett, Merr. 20
March 17, 2021
2021-0877h
08/10

Amendment to HB 141-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT allowing a county to exempt its chief administrative officer from compulsory
4 participation in the retirement system.
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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Retirement System; Modifications; Counties. Amend RSA 100-A:22 to read as follows:

9 100-A:22 Modifications.

10 **I.** Membership in the retirement system shall be optional for officers and employees of the
11 employer who are in the service of the employer on the date when participation becomes effective,
12 and any such officer or employee who elects to join the retirement system within one year thereafter
13 shall be credited with prior service covering such periods of prior service rendered to such employer
14 for which the employer is willing to make accrued liability contributions. If the employer is unable
15 or unwilling to make such contributions, a member in service may petition the board of trustees for
16 periods of prior service rendered to such employer. Upon payment by the member of the amount
17 determined in accordance with RSA 100-A:3, VI(b) and with the approval of the board, the member
18 shall receive credit for such prior service. Thereafter, service for such employer on account of which
19 contributions are made by the employer and member shall also be considered as creditable service.
20 However, in no event shall prior service purchased as creditable service under this section be used as
21 creditable service for the purpose of eligibility for medical benefits under RSA 100-A:52, RSA 100-
22 A:52-a, or RSA 100-A:52-b.

23 **II.** Membership shall be compulsory for all employees entering the service of such employer
24 after the date participation becomes effective. Municipalities *and counties* may, by action of their
25 city council [or], board of selectmen, **or board of commissioners**, exempt their chief administrative
26 officer, at the time of initial hiring or appointment, from compulsory membership provided herein.
27 The chief fiscal officer of the employer, and the heads of its departments, shall submit to the board of
28 trustees such information and shall cause to be performed with respect to the employees of such
29 employer, who are members of the retirement system, such duties as shall be prescribed by the
30 trustees in order to carry out the provisions of this chapter.

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1 2 New Paragraph; Retirement System; Employer Contributions; Certain Municipal and County
2 Employees Exempt. Amend RSA 100-A:16 by inserting after paragraph II-a the following new
3 paragraph:

4 II-b. In addition to employer contributions required under paragraph II, municipalities and
5 counties that exempt their chief administrative officers from participation in the retirement system
6 under RSA 100-A:22 shall make contributions at the percentage rates certified by the board of
7 trustees for the compensation paid to such employees; provided that the percentage rates applied
8 shall only be for the employers' share of the unfunded accrued liability determined under
9 subparagraph II(e).

10 3 Applicability. This act shall apply to chief administrative officers exempted from participation
11 in the New Hampshire retirement system under RSA 100-A:22 who commence employment on or
12 after the effective date of this act.

13 4 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill allows the county commissioners to exempt the county chief administrative officer from compulsory membership in the state retirement system.