HB 1748-FN - AS INTRODUCED

2018 SESSION

18-2401
04/10

HOUSE BILL ***1748-FN***

AN ACT relative to status for part-time retired judges.

SPONSORS: Rep. Merner, Coos 7; Rep. Theberge, Coos 3; Rep. Hinch, Hills. 21; Sen. Carson, Dist 14

COMMITTEE: Judiciary

ANALYSIS

This bill allows a part-time judge of the circuit court to retire under the provisions of RSA 100-A and elect senior active or judicial referee status.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT relative to status for part-time retired judges.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Hampshire Retirement System; Definitions; Part-time; Exceptions. Amend RSA 100-A:1, XXXIV to read as follows:

XXXIV. "Part-time" for purposes of employment of a retired member of the New Hampshire retirement system but excepting per diem court security officers and court bailiffs ***and part-time circuit court judges in senior active or judicial referee status under RSA 493-A***, means employment during a calendar year by one or more employers of the retired member which shall not exceed 32 hours in each normal calendar week. Employment in some instances may exceed 32 hours in any normal calendar week provided that in such case, the part-time employment of the retired member shall not exceed 1,300 hours in a calendar year, so long as such part-time employment does not occur outside of a 5-consecutive-month period in any 12-month period.

2 New Hampshire Retirement System; Restoration to Service; Exception Added. Amend RSA 100-A:7 to read as follows:

100-A:7 Restoration to Service. If a disability beneficiary or any other beneficiary is restored to service, the beneficiary's retirement allowance shall cease, the beneficiary shall again become a member of the retirement system and the beneficiary shall contribute at the percentage payable pursuant to RSA 100-A:16, I(a). Anything herein to the contrary notwithstanding, any credit for membership service and for any prior service on the basis of which the beneficiary's creditable service was computed at the time of the beneficiary's former retirement shall be restored to full force and effect; upon subsequent retirement, the beneficiary shall receive a retirement allowance based on the beneficiary's combined creditable service and the member's average final compensation. ***The provisions of this section shall not apply to part-time circuit court judges retired under this chapter and serving in senior active or judicial referee status under RSA 493-A.***

3 New Section; Circuit Court; Retirement of Part-Time Circuit Court Judges. Amend RSA 490-F by inserting after section 8 the following new section:

490-F:8-a Retirement of Part-time Circuit Court Judges. Any part-time circuit court judge retired under RSA 100-A, if under 70 years of age, may elect senior active status or, if 70 years of age or older, may serve as a judicial referee, pursuant to RSA 493-A.

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

LBAO
18-2401
11/17/17

HB 1748-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to status for part-time retired judges.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than $10,000 in each of the fiscal years 2019 through 2022.

AGENCIES CONTACTED:

Judicial Branch