

Sen. Kahn, Dist 10  
Sen. D'Allesandro, Dist 20  
January 18, 2018  
2018-0172s  
06/10

Floor Amendment to HB 561-FN

Amend the bill by replacing sections 1-3 with the following:

1 Retirement System; Definition; Part-Time. 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, means employment ~~[during a calendar year]~~ by one or more **participating** 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.]~~ **1,560 hours in a calendar year, except as provided in RSA 100-A:7-b. Notwithstanding the foregoing, no retired member shall be employed on a part-time basis by any participating employer for a period of 28 days from the member's effective date of retirement.**

2 Restoration to Service; Working After Retirement. Amend RSA 100-A:7 to read as follows:

100-A:7 ~~[Restoration to Service]~~ **Working After Retirement; Exceeding Part-Time Hourly Limit.**

**I. ~~[If a disability beneficiary or any other beneficiary is]~~ Any retired member returning to work for a participating employer in a position requiring mandatory membership pursuant to RSA 100-A:3 shall be** restored to service~~;~~ **and** the ~~[beneficiary's]~~ **retiree's** retirement allowance shall cease, the ~~[beneficiary]~~ **retiree** shall again become a member of the retirement system, and the ~~[beneficiary]~~ **retiree** 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]~~ **retired member's** creditable service was computed at the time of ~~[the beneficiary's]~~ **his or her** former retirement shall be restored to full force and effect; upon subsequent retirement, the ~~[beneficiary]~~ **retiree** shall receive a retirement allowance based on ~~[the beneficiary's]~~ **his or her** combined creditable service and ~~[the member's]~~ average final compensation.

**II. Any retired member who, in any calendar year, works part-time for one or more participating employers and exceeds the maximum permitted hours as provided in RSA 100-A:1, XXXIV, shall forfeit the state annuity portion of his or her retirement allowance,**

1 *and any allocable cost of living adjustments, with such forfeiture commencing as soon as*  
2 *administratively feasible in the next calendar year and continuing for a period of 12*  
3 *months.*

4 *III. The board of directors of the retirement system shall adopt rules as necessary*  
5 *to administer and enforce the provisions of this section.*

6 3 Annual Notice Required. Amend RSA 100-A:7-a to read as follows:

7 100-A:7-a Certain Part-Time Employment; Notice Required. The retirement system shall  
8 annually provide written notice to all retired members of the retirement system of the [hourly]  
9 limitations on part-time employment as defined in RSA 100-A:1, XXXIV and the potential effect that  
10 exceeding such hourly limitations could have on the retired member's retirement benefits, including  
11 restoration to service as required in RSA [100-A:7] *100-A:7, I and the forfeiture of the state*  
12 *annuity portion of his or her retirement allowance under RSA 100-A:7, II.*

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AMENDED ANALYSIS

This bill changes the limit on part-time employment of a retirement system retiree to an annual 1,560 hourly limit and prohibits part-time employment in the first 28 days after retirement. The bill also establishes a penalty for retired members' exceeding the annual part-time hourly limits.