

JAN 24 2007

A BILL FOR AN ACT

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. 88-21, Hawaii Revised Statutes, is amended by
2 adding a new definition to be appropriately inserted and to read
3 as follows:

4 "Deputy sheriff": an employee in the department of public
5 safety who has been conferred police power by the director of
6 public safety pursuant to section 353C-4 and is in a position of
7 deputy sheriff I to V or sheriff division administrator."

8 SECTION 2. Section 88-74.6, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "[+]§88-74.6[+] Unreduced allowance on service retirement;
11 when applicable. In addition to those positions identified in
12 section 88-74(1), and notwithstanding any law in this part that
13 requires a member to attain age fifty-five to qualify for an
14 unreduced service retirement allowance, if the member has at
15 least [~~thirty~~]:

16 (1) Thirty years of credited service through June 30,
17 2003; twenty-nine years of credited service on or



1 after July 1, 2004; twenty-eight years of credited
 2 service on or after July 1, 2005; twenty-seven years
 3 of credited service on or after July 1, 2006; twenty-
 4 six years of credited service on or after July 1,
 5 2007; and twenty-five years of credited service on or
 6 after July 1, 2008, as an emergency medical
 7 technician[-]; or

8 (2) Twenty-five years of credited service on or after
 9 July 1, 2005, as a deputy sheriff,

10 of which the last five or more years prior to retirement is
 11 credited service in that capacity, then upon retirement and
 12 irrespective of age, that member's service retirement allowance
 13 shall not be reduced for actuarial purposes."

14 SECTION 3. Section 88-281, Hawaii Revised Statutes, is
 15 amended to read as follows:

16 "§88-281 Service retirement. (a) A member who has ten
 17 years of credited service and has attained age sixty-two, or a
 18 member with thirty years credited service who has attained the
 19 age of fifty-five, shall become eligible to receive a retirement
 20 allowance after the member has terminated service.

21 (b) If a member has at least twenty-five years of credited
 22 service as a sewer worker or as a water safety officer of which



1 the last five or more years prior to retirement is credited in
2 such a capacity, then the sewer worker or water safety officer
3 shall be eligible to receive a retirement benefit unreduced for
4 age after the member has terminated service.

5 (c) A member who has twenty years of credited service and
6 has attained age fifty-five shall be eligible to receive an
7 early retirement allowance reduced for age after the member has
8 terminated service.

9 (d) A member who has ten years of credited service and
10 terminates service prior to attaining age sixty-two shall have a
11 vested right and shall be eligible to receive a retirement
12 allowance when the member has attained age sixty-five.

13 (e) If a member has at least thirty years of credited
14 service through June 30, 2003; twenty-nine years of credited
15 service on or after July 1, 2004; twenty-eight years of credited
16 service on or after July 1, 2005; twenty-seven years of credited
17 service on or after July 1, 2006; twenty-six years of credited
18 service on or after July 1, 2007; and twenty-five years of
19 credited service on or after July 1, 2008, as an emergency
20 medical technician, of which the last five or more years prior
21 to retirement is credited service in that capacity, the
22 emergency medical technician shall be eligible to receive a



1 retirement benefit unreduced for age after the member has
2 terminated service.

3 (f) If a member has at least twenty-five years of credited
4 service on or after July 1, 2007, as a deputy sheriff, of which
5 the last five or more years prior to retirement is credited
6 service in that capacity, the deputy sheriff shall be eligible
7 to receive a retirement benefit unreduced for age after the
8 member has terminated service.

9 [~~f~~] (g) A member may retire upon the written application
10 to the board, specifying the desired date of retirement, which
11 shall be not less than thirty days nor more than one hundred
12 fifty days subsequent to the date of filing. Retirement shall
13 be effective on the first day of a month, except for the month
14 of December when retirement on the first or last day of the
15 month shall be allowed."

16 SECTION 4. Section 88-282, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "§88-282 Service retirement allowance. Upon retirement
19 from service, a member shall receive a retirement allowance as
20 follows:

21 (1) If the member has met the requirements in
22 section 88-281(a), (b), (d), [~~e~~] (e), or (f), a



1 maximum retirement allowance of one and one-fourth
2 per cent of the average final compensation multiplied
3 by the number of years of credited service; or

4 (2) If the member has met the requirements in
5 section 88-281(c), an early retirement allowance equal
6 to the maximum retirement allowance reduced by
7 one-half per cent for each month the member is less
8 than age sixty-two at retirement."

9 SECTION 5. Section 88-331, Hawaii Revised Statutes, is
10 amended to read as follows:

11 " [†]§88-331[†] **Service retirement.** (a) A class H member
12 who has five years of credited service and has attained age
13 sixty-two, or a class H member with thirty years credited
14 service who has attained the age of fifty-five, shall become
15 eligible to receive a retirement allowance after the member has
16 terminated service.

17 (b) A class H member who has at least twenty-five years of
18 credited service as a sewer worker or water safety officer, of
19 which the last five or more years prior to retirement is
20 credited service in that capacity, shall become eligible to
21 receive a retirement allowance unreduced for age after the
22 member has terminated service.



1 (c) A class H member who has twenty years of credited
2 service and has attained age fifty-five shall be eligible to
3 receive an early retirement allowance reduced for age after the
4 member has terminated service.

5 (d) If a class H member has at least twenty-eight years of
6 credited service on or after July 1, 2005; twenty-seven years of
7 credited service on or after July 1, 2006; twenty-six years of
8 credited service on or after July 1, 2007; and twenty-five years
9 of credited service on or after July 1, 2008, as an emergency
10 medical technician, of which the last five or more years prior
11 to retirement is credited service in that capacity, the member
12 shall be eligible to receive a retirement benefit unreduced for
13 age after the member has terminated service.

14 (e) If a class H member has at least twenty-five years of
15 credited service on or after July 1, 2007, as a deputy sheriff,
16 of which the last five or more years prior to retirement is
17 credited service in that capacity, the deputy sheriff shall be
18 eligible to receive a retirement benefit unreduced for age after
19 the member has terminated service.

20 [~~e~~] (f) A class H member may retire upon the written
21 application to the system, specifying the desired date of
22 retirement, which shall be not less than thirty days nor more



1 than one hundred fifty days subsequent to the date of filing.
2 Retirement shall be effective on the first day of a month,
3 except for the month of December when retirement on the first or
4 last day of the month shall be allowed."

5 SECTION 6. Section 88-332, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§88-332 Service retirement allowance. Upon retirement
8 from service, a class H member shall receive a maximum
9 retirement allowance as follows:

- 10 (1) If the member has met the requirements in
11 section 88-331(a), (b), [~~or~~] (d), or (e), a maximum
12 retirement allowance of two per cent of the average
13 final compensation multiplied by the number of years
14 of class H credited service, plus a retirement
15 allowance at the rate of one and one-fourth per cent
16 of the member's average final compensation multiplied
17 by the number of years of class C credited service; or
18 (2) If the member has met the requirements in
19 section 88-331(c), an early retirement allowance equal
20 to the maximum retirement allowance calculated as
21 provided in paragraph (1), reduced by 0.4166 per cent



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1 for each month the member is less than age sixty-two
2 at retirement."

3 SECTION 7. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 8. This Act shall take effect on July 1, 2007.

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INTRODUCED BY: Shiranne Chun Oakland

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Report Title:

Employees' Retirement System

Description:

Provides deputy sheriffs and the division administrator with similar retirement benefits afforded other law enforcement and safety officers by allowing retirement after twenty-five years of credited service, regardless of age.

