



General Assembly

Amendment

February Session, 2012

LCO No. 4604

HB0503404604HDO

Offered by:

REP. FOX, 146th Dist.

REP. HETHERINGTON, 125th Dist.

To: Subst. House Bill No. 5034

File No. 436

Cal. No. 334

"AN ACT CONCERNING RETIREMENT PROVISIONS RELATING TO JUDGES, FAMILY SUPPORT MAGISTRATES AND COMPENSATION COMMISSIONERS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 51-49a of the 2012 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective from passage*):

6 (a) The right to a retirement salary, in accordance with the
7 provisions of this section, of any judge, family support magistrate or
8 compensation commissioner who is not eligible to retire under the
9 provisions of section 51-49j, as amended by this act, or 51-50a, as
10 amended by this act, which judge, family support magistrate or
11 compensation commissioner has completed ten years of service as
12 such, shall be vested and nonforfeitable.

13 (b) Any such judge or compensation commissioner who first
14 commenced service as a judge or compensation commissioner prior to
15 January 1, 1981, and who resigns (1) [prior to September 2, 2011] on or
16 before October 1, 2011, (2) prior to becoming eligible to retire under
17 section 51-50a, as amended by this act, and (3) after at least ten years of
18 service, shall receive, at such time as he would have been eligible to so
19 retire if he had continued in such service, as retirement salary,
20 annually, fifty per cent of the retirement salary he would have received
21 had he served until he was so eligible, plus ten per cent of such
22 retirement salary for each year of service beyond ten years but for not
23 more than five years of additional service.

24 (c) Any such judge, family support magistrate or compensation
25 commissioner who first commenced service as a judge, family support
26 magistrate or compensation commissioner on or after January 1, 1981,
27 and who resigns (1) [prior to September 2, 2011] on or before October
28 1, 2011, (2) prior to becoming eligible to retire under section 51-50a, as
29 amended by this act, and (3) after at least ten years of service, shall
30 receive, at such time as he would have been eligible to so retire if he
31 had continued in such service, annually, an amount equal to the
32 fraction of the retirement salary he would have received had he served
33 until he was so eligible [which] that corresponds to the ratio which the
34 number of years of his completed service bears to the number of years
35 of service which would have been completed at age sixty-five or
36 twenty years, whichever is less.

37 (d) Any such judge or compensation commissioner who first
38 commenced service as a judge or compensation commissioner prior to
39 January 1, 1981, and who resigns (1) on or after October 2, 2011, and
40 prior to July 1, 2022, (2) prior to becoming eligible to retire under
41 section 51-50a, as amended by this act, and (3) after at least ten years of
42 service, shall receive, at such time as he would have been eligible to so
43 retire if he had continued in such service, but in no event earlier than
44 at sixty-two years of age, annually, an amount equal to the fraction of
45 the retirement salary he would have received had he been eligible to
46 retire on the date of his resignation [and shall begin collecting such

47 retirement salary not earlier than at sixty-two years of age] that
48 corresponds to the ratio that the number of years of his completed
49 service bears to the number of years of service that would have been
50 completed at sixty-five years of age or twenty years, whichever is less.

51 (e) Any such judge, family support magistrate or compensation
52 commissioner who first commenced service as a judge, family support
53 magistrate or compensation commissioner on or after January 1, 1981,
54 and prior to July 1, 2011, and who resigns (1) on or after October 2,
55 2011, and prior to July 1, 2022, (2) prior to becoming eligible to retire
56 under section 51-50a, as amended by this act, and (3) after at least ten
57 years of service, shall receive, at such time as he would have been
58 eligible to so retire if he had continued in such service, but in no event
59 earlier than at sixty-five years of age, annually, an amount equal to the
60 fraction of the retirement salary he would have received had he been
61 eligible to retire on the date of his resignation [and shall begin
62 collecting such retirement salary not earlier than at sixty-five years of
63 age] that corresponds to the ratio that the number of years of his
64 completed service bears to the number of years of service that would
65 have been completed at sixty-five years of age or twenty years,
66 whichever is less.

67 [(f) In determining the amount of retirement payments to be made
68 pursuant to subsections (b) to (e), inclusive, of this section, longevity
69 payments which would have been made if the judge, family support
70 magistrate or commissioner had continued to serve as a judge, family
71 support magistrate or commissioner from the date of resignation with
72 a vested right to a retirement salary shall not be included in the
73 computation.]

74 [(g)] (f) Any such judge, family support magistrate or compensation
75 commissioner who first commenced service as a judge, family support
76 magistrate or compensation commissioner on or after July 1, 2011, and
77 who resigns (1) prior to becoming eligible to retire under section 51-
78 49i, as amended by this act, or 51-50a, as amended by this act, and (2)
79 after at least ten years of service, shall receive, at such time as he

80 would have been eligible to so retire if he had continued in such
81 service, but in no event earlier than at sixty-five years of age, annually,
82 an amount equal to the fraction of the retirement salary he would have
83 received had he been eligible to retire on the date of his resignation
84 [and shall begin collecting such retirement salary not earlier than at
85 sixty-five years of age] that corresponds to the ratio that the number of
86 years of his completed service bears to the number of years of service
87 that would have been completed at sixty-five years of age or twenty
88 years, whichever is less.

89 (g) In determining the amount of retirement payments to be made
90 pursuant to subsections (b) to (f), inclusive, of this section, longevity
91 payments which would have been made if the judge, family support
92 magistrate or compensation commissioner had continued to serve as a
93 judge, family support magistrate or compensation commissioner from
94 the date of resignation with a vested right to a retirement salary shall
95 not be included in the computation.

96 Sec. 2. Section 51-49b of the 2012 supplement to the general statutes
97 is repealed and the following is substituted in lieu thereof (*Effective*
98 *from passage*):

99 (a) On January 1, 1982, and January first of each subsequent year,
100 each judge, family support magistrate or compensation commissioner
101 who first commenced service as a judge, family support magistrate or
102 compensation commissioner on or after January 1, 1981, and retired on
103 or before [September 2, 2011] October 1, 2011, shall be entitled, in
104 addition to the retirement salary to which such judge, family support
105 magistrate or commissioner was entitled under the provisions of
106 section 51-49a, as amended by this act, 51-50 or 51-50a, as amended by
107 this act, as of the December thirty-first immediately preceding, to an
108 additional percentage which reflects the increase, if any, in the
109 National Consumer Price Index for Urban Wage Earners and Clerical
110 Workers for the previous twelve-month period, provided such cost of
111 living allowance shall not exceed three per cent. Such cost of living
112 allowance shall be computed on the basis of the combined retirement

113 salary and cost of living allowances, if any, to which such judge, family
114 support magistrate or compensation commissioner was entitled as of
115 the December thirty-first immediately preceding.

116 (b) On January 1, 2012, and January first of each subsequent year,
117 each judge, family support magistrate or compensation commissioner
118 who [was in service] retires as a judge, family support magistrate or
119 compensation commissioner on or after [September 1, 2011, and retired
120 on or before the December thirty-first immediately preceding, shall be
121 entitled, in addition to the retirement salary to which such judge,
122 family support magistrate or compensation commissioner was entitled
123 under the provisions of section 51-49a, 51-50 or 51-50a, as of the
124 December thirty-first immediately preceding, to an additional
125 percentage which reflects the increase, if any, in the National
126 Consumer Price Index for Urban Wage Earners and Clerical Workers
127 for the previous twelve-month period, provided such cost of living
128 allowance shall not exceed two per cent. Such cost of living allowance
129 shall be computed on the basis of the combined retirement salary and
130 cost of living allowances, if any, to which such judge, family support
131 magistrate or compensation commissioner was entitled as of the
132 December thirty-first immediately preceding] October 2, 2011, shall
133 receive, in addition to the retirement salary to which such judge,
134 family support magistrate or compensation commissioner was entitled
135 under the provisions of section 51-49a, as amended by this act, 51-49i,
136 as amended by this act, 51-50 or 51-50a, as amended by this act, as of
137 the December thirty-first immediately preceding, a cost of living
138 allowance equivalent to the cost of living allowance applied to the
139 retirement salary of members of the state employees retirement system
140 who retired on or after October 2, 2011, for the same period.

141 Sec. 3. Section 51-49c of the 2012 supplement to the general statutes
142 is repealed and the following is substituted in lieu thereof (*Effective*
143 *from passage*):

144 (a) On January 1, 1982, and January first of each subsequent year
145 until January 1, 2011, each surviving spouse of a deceased judge,

146 family support magistrate or [of a] compensation commissioner who
147 first commenced service as a judge, family support magistrate or
148 compensation commissioner on or after January 1, 1981, receiving an
149 allowance under the provisions of section 51-51, shall be entitled to an
150 additional cost of living allowance equal to the percentage which
151 reflects the increase, if any, in the National Consumer Price Index for
152 Urban Wage Earners and Clerical Workers for the previous twelve-
153 month period, provided such cost of living increase shall not exceed
154 three per cent. Such cost of living allowance shall be computed on the
155 basis of the combined retirement allowance and cost of living
156 allowance, if any, to which such surviving spouse was entitled as of
157 the December thirty-first immediately preceding.

158 (b) On January 1, 2012, and January first of each subsequent year,
159 each surviving spouse of a deceased judge, family support magistrate
160 or compensation commissioner who first commenced service as a
161 judge, family support magistrate or compensation commissioner on or
162 after January 1, 1981, receiving an allowance under the provisions of
163 section 51-51, shall be entitled to an additional cost of living allowance
164 [equal to the percentage which reflects the increase, if any, in the
165 National Consumer Price Index for Urban Wage Earners and Clerical
166 Workers for the previous twelve-month period, provided such cost of
167 living increase shall not exceed two per cent. Such cost of living
168 allowance shall be computed on the basis of the combined retirement
169 allowance and cost of living allowance, if any, to which such surviving
170 spouse was entitled as of the December thirty-first immediately
171 preceding] equivalent to the cost of living allowance applied to the
172 retirement salary of members of the state employees retirement system
173 who retired on or after October 2, 2011, for the same period.

174 Sec. 4. Section 51-49f of the 2012 supplement to the general statutes
175 is repealed and the following is substituted in lieu thereof (*Effective*
176 *from passage*):

177 (a) For purposes of determining both the retirement salary of judges
178 who first commenced service as judges prior to January 1, 1981, and

179 the allowance payable to their surviving spouses under subsection (a)
180 of section 51-51, "salary for the office" shall be composed of the total of
181 the following amounts: The annual salary payable pursuant to
182 subsection (a) of section 51-47, as such salary may change from time to
183 time; and for judges to whom a longevity payment has been made or is
184 due and payable, in each instance under subsection (d) of section 51-
185 47, (1) one and one-half per cent of annual salary, as such salary may
186 change from time to time, for those who have completed ten or more
187 but less than fifteen years of service as a judge or other state service or
188 service as an elected official of the state or any combination of such
189 service, (2) three per cent of annual salary, as such salary may change
190 from time to time, for those who have completed fifteen or more but
191 less than twenty years of service as a judge or other state service or
192 service as an elected official of the state or any combination of such
193 service, (3) four and one-half per cent of annual salary, as such salary
194 may change from time to time, for those who have completed twenty
195 or more but less than twenty-five years of service as a judge or other
196 state service or service as an elected official of the state or any
197 combination of such service, and (4) six per cent of annual salary, as
198 such salary may change from time to time, for those who have
199 completed twenty-five or more years of service as a judge or other
200 state service or service as an elected official of the state or any
201 combination of such service.

202 (b) For purposes of determining both the retirement salary of judges
203 who first commenced service as judges on or after January 1, 1981, and
204 prior to July 1, 2011, and the allowance payable to their surviving
205 spouses, under subsection (b) of section 51-51, "salary" shall be
206 composed of the total of the following amounts: The annual salary
207 payable at the time of retirement or death, fixed in accordance with
208 subsection (a) of section 51-47; and for judges to whom a longevity
209 payment has been made or is due and payable, in each case under
210 subsection (d) of section 51-47, (1) one and one-half per cent of the
211 annual salary the judge was receiving at the time of retirement or
212 death, for those who have completed ten or more but less than fifteen

213 years of service as a judge or other state service or service as an elected
214 official of the state or any combination of such service, (2) three per
215 cent of the annual salary the judge was receiving at the time of
216 retirement or death, for those who have completed fifteen or more but
217 less than twenty years of service as a judge or other state service or
218 service as an elected official of the state or any combination of such
219 service, (3) four and one-half per cent of the annual salary the judge
220 was receiving at the time of retirement or death, for those who have
221 completed twenty or more but less than twenty-five years of service as
222 a judge or other state service or service as an elected official of the state
223 or any combination of such service, and (4) six per cent of the annual
224 salary the judge was receiving at the time of retirement or death, for
225 those who have completed twenty-five or more years of service as a
226 judge or other state service or service as an elected official of the state
227 or any combination of such service.

228 (c) For purposes of determining both the retirement salary of judges
229 who first commenced service as judges on or after July 1, 2011, and the
230 allowance payable to their surviving spouses, under subsection (b) of
231 section 51-51, "salary" shall be composed of the total of the following
232 amounts: The average annual salary for the five years next preceding
233 his or her retirement payable at the time of retirement or death, fixed
234 in accordance with subsection (a) of section 51-47; and for judges to
235 whom a longevity payment has been made or is due and payable, in
236 each case under subsection (d) of section 51-47, (1) one and one-half
237 per cent of the annual salary the judge was receiving at the time of
238 retirement or death, for those who have completed ten or more but less
239 than fifteen years of service as a judge or other state service or service
240 as an elected official of the state or any combination of such service, (2)
241 three per cent of the annual salary the judge was receiving at the time
242 of retirement or death, for those who have completed fifteen or more
243 but less than twenty years of service as a judge or other state service or
244 service as an elected official of the state or any combination of such
245 service, (3) four and one-half per cent of the annual salary the judge
246 was receiving at the time of retirement or death, for those who have

247 completed twenty or more but less than twenty-five years of service as
248 a judge or other state service or service as an elected official of the state
249 or any combination of such service, and (4) six per cent of the annual
250 salary the judge was receiving at the time of retirement or death, for
251 those who have completed twenty-five or more years of service as a
252 judge or other state service or service as an elected official of the state
253 or any combination of such service.

254 (d) Notwithstanding any provision of the general statutes, on [or]
255 and after [September 2, 2011] October 2, 2011, the retirement salary of
256 [such judge, family support magistrate or compensation
257 commissioner] a judge shall not exceed the limits of Section 415 of the
258 Internal Revenue Code of 1986, or any subsequent corresponding
259 internal revenue code of the United States, as amended from time to
260 time.

261 Sec. 5. Section 51-49g of the general statutes is repealed and the
262 following is substituted in lieu thereof (*Effective from passage*):

263 (a) For purposes of determining both the retirement salary of
264 compensation commissioners who first commenced service as
265 compensation commissioners in a term commencing prior to January
266 1, 1981, and the allowance payable to their surviving spouses under
267 subsection (a) of section 51-51, "salary" shall be composed of the total
268 of the following amounts: The annual salary payable pursuant to
269 subsection (a) of section 31-277, as such salary may change from time
270 to time; and for compensation commissioners to whom a longevity
271 payment has been made or is due and payable, in each instance under
272 subsection (b) of section 31-277, (1) one and one-half per cent of annual
273 salary, as such salary may change from time to time, for those who
274 have completed ten or more but less than fifteen years of service as a
275 compensation commissioner, (2) three per cent of annual salary, as
276 such salary may change from time to time for those who have
277 completed fifteen or more but less than twenty years of service as a
278 compensation commissioner, (3) four and one-half per cent of annual
279 salary, as such salary may change from time to time, for those who

280 have completed twenty or more but less than twenty-five years of
281 service as a compensation commissioner, and (4) six per cent of annual
282 salary, as such salary may change from time to time, for those who
283 have completed twenty-five or more years of service as a
284 compensation commissioner.

285 (b) For purposes of determining both the retirement salary of
286 compensation commissioners who first commenced service as
287 compensation commissioners in a term commencing on or after
288 January 1, 1981, and prior to July 1, 2011, and the allowance payable to
289 their surviving spouses, under subsection (b) of section 51-51, "salary"
290 shall be composed of the total of the following amounts: The annual
291 salary payable at the time of retirement or death, fixed in accordance
292 with subsection (a) of section 31-277; and for compensation
293 commissioners to whom a longevity payment has been made or is due
294 and payable, in each case under subsection (b) of section 31-277, (1)
295 one and one-half per cent of the annual salary the compensation
296 commissioner was receiving at the time of retirement or death, for
297 those who have completed ten or more but less than fifteen years of
298 service as a compensation commissioner, (2) three per cent of the
299 annual salary the compensation commissioner was receiving at the
300 time of retirement or death, for those who have completed fifteen or
301 more but less than twenty years of service as a compensation
302 commissioner, (3) four and one-half per cent of the annual salary the
303 compensation commissioner was receiving at the time of retirement or
304 death, for those who have completed twenty or more but less than
305 twenty-five years of service as a compensation commissioner and (4)
306 six per cent of the annual salary the compensation commissioner was
307 receiving at the time of retirement or death, for those who have
308 completed twenty-five or more years of service as a compensation
309 commissioner.

310 (c) For purposes of determining both the retirement salary of
311 compensation commissioners who first commenced service as
312 compensation commissioners on or after July 1, 2011, and the
313 allowance payable to their surviving spouses, under subsection (b) of

314 section 51-51, "salary" shall be composed of the total of the following
315 amounts: The average annual salary for the five years next preceding
316 his or her retirement payable at the time of retirement or death, fixed
317 in accordance with subsection (a) of section 31-277; and for
318 compensation commissioners to whom a longevity payment has been
319 made or is due and payable, in each case under subsection (b) of
320 section 31-277, (1) one and one-half per cent of the annual salary the
321 compensation commissioner was receiving at the time of retirement or
322 death, for those who have completed ten or more but less than fifteen
323 years of service as a compensation commissioner or other state service
324 or service as an elected official of the state or any combination of such
325 service, (2) three per cent of the annual salary the compensation
326 commissioner was receiving at the time of retirement or death, for
327 those who have completed fifteen or more but less than twenty years
328 of service as a compensation commissioner or other state service or
329 service as an elected official of the state or any combination of such
330 service, (3) four and one-half per cent of the annual salary the
331 compensation commissioner was receiving at the time of retirement or
332 death, for those who have completed twenty or more but less than
333 twenty-five years of service as a compensation commissioner or other
334 state service or service as an elected official of the state or any
335 combination of such service, and (4) six per cent of the annual salary
336 the compensation commissioner was receiving at the time of
337 retirement or death, for those who have completed twenty-five or
338 more years of service as a compensation commissioner or other state
339 service or service as an elected official of the state or any combination
340 of such service.

341 (d) Notwithstanding any provision of the general statutes, on and
342 after October 2, 2011, the retirement salary of a compensation
343 commissioner shall not exceed the limits of Section 415 of the Internal
344 Revenue Code of 1986, or any subsequent corresponding internal
345 revenue code of the United States, as amended from time to time.

346 Sec. 6. Section 51-49i of the 2012 supplement to the general statutes
347 is repealed and the following is substituted in lieu thereof (*Effective*

348 *from passage):*

349 (a) For any judge, family support magistrate or compensation
350 commissioner retiring on or after July 1, 2022, the right to a retirement
351 salary in accordance with the provisions of this section shall vest and
352 be nonforfeitable when the judge, family support magistrate or
353 commissioner (1) has attained [the age of] sixty-three years of age and
354 has twenty-five years of service as a judge, family support magistrate
355 or compensation commissioner, [or sixty-two years] (2) has attained
356 sixty-five years of age and has [served] ten years of service as a judge,
357 family support magistrate or compensation commissioner, or (3) has
358 thirty years of state service credit under the provisions of chapter 66,
359 provided not less than ten years of such state service was served as a
360 judge, family support magistrate or compensation commissioner, and
361 provided such state service shall not be used for retirement credit
362 under said chapter 66. Any contributions made under said chapter 66
363 shall be transferred to the Judges, Family Support Magistrates and
364 Compensation Commissioners Retirement Fund.

365 (b) Any judge, family support magistrate or compensation
366 commissioner who has been refunded contributions from the State
367 Employees Retirement Fund for any prior period of state service may
368 receive credit for such service upon repayment of such refunded
369 contributions with interest thereon at the rate of five per cent per year
370 from the date of refund to the date of payment. The amount of such
371 payment shall be transferred to the judges, family support magistrates
372 and compensation commissioners retirement system. A judge, family
373 support magistrate or compensation commissioner may elect to retire
374 at any time thereafter.

375 [(c) Notwithstanding any provision of the general statutes, any
376 judge who has served for at least sixteen years as a judge and was
377 nominated by the Governor for a subsequent term but was not
378 reappointed and who has attained sixty-three years of age shall be
379 eligible to receive a retirement salary effective upon the expiration of
380 his term as a judge.]

381 (c) Each judge shall receive annually, as retirement salary, two-
382 thirds of such judge's salary as defined in section 51-49f, as amended
383 by this act, each family support magistrate shall receive annually, as
384 retirement salary, two-thirds of such family support magistrate's salary
385 as defined in section 46b-233a, as amended by this act, and each
386 compensation commissioner shall receive annually, as retirement
387 salary, two-thirds of such compensation commissioner's salary as
388 defined in section 51-49g, as amended by this act; except that, if a
389 judge, family support magistrate or compensation commissioner has
390 served fewer than ten years at the time of his or her retirement under
391 this section, his or her retirement salary shall be reduced in the ratio
392 that the number of years of his or her completed service bears to the
393 number of years of service that would have been completed at seventy
394 years of age or ten years, whichever is less.

395 Sec. 7. Section 46b-233a of the 2012 supplement to the general
396 statutes is repealed and the following is substituted in lieu thereof
397 (*Effective from passage*):

398 (a) Each family support magistrate who had elected under the
399 provisions of subdivision (2) of subsection (i) of section 46b-231 shall,
400 for retirement purposes, be entitled to credit for any or all the prior
401 years of service accrued by him on June 22, 1992, while serving in the
402 office of family support magistrate, provided such magistrate shall pay
403 to the Comptroller five per cent of the salary for his office for each
404 prior year of service he claims for retirement credit. Each such
405 magistrate shall be entitled to have his retirement contributions to the
406 state employees retirement system under chapter 66 credited toward
407 the payment due for the prior year or years of service he claims for
408 retirement credit under this section.

409 (b) For purposes of determining both the retirement salary of family
410 support magistrates who first commenced service prior to July 1, 2011,
411 and the allowance payable to their surviving spouses under subsection
412 (b) of section 51-51, "salary" shall be composed of the total of the
413 following amounts: The [average] annual salary [for the five years next

414 preceding his or her retirement] payable at the time of retirement or
415 death, fixed in accordance with subsection (h) of section 46b-231; and
416 for family support magistrates to whom a longevity payment has been
417 made or is due and payable, in each case under section [51-51] 46b-233
418 (1) one and one-half per cent of the annual salary the family support
419 magistrate was receiving at the time of retirement or death, for those
420 who have completed ten or more but less than fifteen years of service
421 as a family support magistrate, (2) three per cent of the annual salary
422 the family support magistrate was receiving at the time of retirement
423 or death, for those who have completed fifteen or more but less than
424 twenty years of service as a family support magistrate, (3) four and
425 one-half per cent of the annual salary the family support magistrate
426 was receiving at the time of retirement or death, for those who have
427 completed twenty or more but less than twenty-five years of service as
428 a family support magistrate, and (4) six per cent of the annual salary
429 the family support magistrate was receiving at the time of retirement
430 or death, for those who have completed twenty-five or more years of
431 service as a family support magistrate.

432 (c) For purposes of determining both the retirement salary of family
433 support magistrates who first commenced service as family support
434 magistrates on or after July 1, 2011, and the allowance payable to their
435 surviving spouses, under subsection (b) of section 51-51, "salary" shall
436 be composed of the total of the following amounts: The average annual
437 salary for the five years next preceding his or her retirement payable at
438 the time of retirement or death, fixed in accordance with subsection (h)
439 of section 46b-231; and for family support magistrates to whom a
440 longevity payment has been made or is due and payable, in each case
441 under section 46b-233 (1) one and one-half per cent of the annual
442 salary the family support magistrate was receiving at the time of
443 retirement or death, for those who have completed ten or more but less
444 than fifteen years of service as a family support magistrate, (2) three
445 per cent of the annual salary the family support magistrate was
446 receiving at the time of retirement or death, for those who have
447 completed fifteen or more but less than twenty years of service as a

448 family support magistrate, (3) four and one-half per cent of the annual
449 salary the family support magistrate was receiving at the time of
450 retirement or death, for those who have completed twenty or more but
451 less than twenty-five years of service as a family support magistrate,
452 and (4) six per cent of the annual salary the family support magistrate
453 was receiving at the time of retirement or death, for those who have
454 completed twenty-five or more years of service as a family support
455 magistrate.

456 [(c)] (d) Notwithstanding any provision of the general statutes, on
457 [or] and after [September 2, 2011] October 2, 2011, the retirement salary
458 of [such judge,] a family support magistrate [or compensation
459 commissioner] shall not exceed the limits of Section 415 of the Internal
460 Revenue Code of 1986, or any subsequent corresponding internal
461 revenue code of the United States, as amended from time to time.

462 Sec. 8. (NEW) (*Effective from passage*) On or before July 1, 2013, a
463 judge, family support magistrate or compensation commissioner who
464 is in service as a judge, family support magistrate or compensation
465 commissioner on the effective date of this section, may make a one-
466 time irrevocable election to begin paying the actuarial pension cost of
467 maintaining the normal retirement eligibility existing in the retirement
468 plan such judge, family support magistrate or compensation
469 commissioner is participating in on the effective date of this section,
470 but the eligibility requirements of which are scheduled to change
471 effective July 1, 2022. The cost of making such an election shall be
472 established by the plan's actuaries and such cost shall be
473 communicated to judges, family support magistrates and
474 compensation commissioners by the Retirement Division of the Office
475 of the Comptroller. The irrevocable election shall be made on a form
476 prescribed by the State Employees Retirement Commission and shall
477 indicate the judge's, family support magistrate's or compensation
478 commissioner's election to participate or not participate. In the event a
479 judge, family support magistrate or compensation commissioner fails
480 to make an election on or before July 1, 2013, he or she shall not be
481 eligible to participate. In the event a judge, family support magistrate

482 or compensation commissioner makes a successful claim to the State
 483 Employees Retirement Commission of agency error, such judge, family
 484 support magistrate or compensation commissioner shall make
 485 payments in accordance with the state's usual practice.

486 Sec. 9. Subdivision (1) of subsection (a) of section 51-50a of the
 487 general statutes is repealed and the following is substituted in lieu
 488 thereof (*Effective from passage*):

489 (a) (1) The right of any judge, family support magistrate or
 490 compensation commissioner retiring prior to July 1, 2022, to a
 491 retirement salary in accordance with the provisions of this section shall
 492 vest and be nonforfeitable when the judge, family support magistrate
 493 or compensation commissioner has attained the age of sixty-five years,
 494 or has served twenty years as a judge, family support magistrate or
 495 compensation commissioner or has thirty years of state service credit
 496 under the provisions of chapter 66, provided not less than ten years of
 497 such state service was served as a judge, family support magistrate or
 498 compensation commissioner, and provided such state service shall not
 499 be used for retirement credit under chapter 66. Any contributions
 500 made under chapter 66 shall be transferred to the Judges, Family
 501 Support Magistrates and Compensation Commissioners Retirement
 502 Fund."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	51-49a
Sec. 2	<i>from passage</i>	51-49b
Sec. 3	<i>from passage</i>	51-49c
Sec. 4	<i>from passage</i>	51-49f
Sec. 5	<i>from passage</i>	51-49g
Sec. 6	<i>from passage</i>	51-49i
Sec. 7	<i>from passage</i>	46b-233a
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	51-50a(a)(1)