



General Assembly

**Amendment**

January Session, 2013

LCO No. 6415

**\*HB0659606415HDO\***

Offered by:

REP. DARGAN, 115<sup>th</sup> Dist.

SEN. HARTLEY, 15<sup>th</sup> Dist.

To: House Bill No. 6596

File No. 409

Cal. No. 276

**"AN ACT CONCERNING POLICE OFFICERS AND FIREFIGHTERS."**

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

3 "Section 1. Section 7-454 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 In determining the municipal employees entitled to participate in  
6 the system and the extent of their participation, all service performed  
7 by an employee in the employ of any municipality which joins the  
8 system, for such employer, shall be included except as provided in this  
9 section. The following services shall be excluded: (1) Services which, in  
10 the absence of federal-state agreement, would constitute "employment"  
11 as defined in the Social Security Act, (2) services of individuals in  
12 positions covered under the Connecticut State Teachers' Retirement  
13 Association other than services performed by individuals to whom  
14 Section 218(c)(3)(B) of the Social Security Act is applicable; services

15 performed prior to August 16, 1994, of individuals in policemen's or  
16 firemen's positions covered under fund A or fund B or local retirement  
17 systems and (3) services which, under the Social Security Act, may not  
18 be included in an agreement between the state and the Secretary  
19 entered into under sections 7-452 to 7-459, inclusive. Service which  
20 under the Social Security Act may be included in an agreement only  
21 upon certification by the Governor in accordance with Section 218(d)  
22 of said act shall be included if and when the Governor issues, with  
23 respect to such service, a certificate to the Secretary pursuant to section  
24 7-455. Any municipality applying for membership in the system may  
25 elect to exclude from membership in the system the following: (a) All  
26 services in any class or classes of elective positions, part-time positions  
27 or positions the compensation for which is on a fee basis, (b) student  
28 service to the fullest extent such coverage is permitted under Section  
29 218 of the Social Security Act, (c) services performed by individuals to  
30 whom Section 218(c)(3) (B) of the Social Security Act is applicable or  
31 (d) any services which may be optionally excluded under Section  
32 218(c) of the Social Security Act. Any municipality which joined the  
33 system prior to July 8, 1955, shall be deemed to have elected exclusion  
34 (c). Where any municipality covers under the agreement the services  
35 described in exclusion (c), the services of any individual thereby  
36 covered shall cease to be covered by the agreement if he thereafter  
37 becomes eligible to be a member of a retirement plan, but only if the  
38 agreement is not already applicable to such plan pursuant to Section  
39 218(d) of the Social Security Act. Nothing in sections 7-451 to 7-459,  
40 inclusive, shall prevent coverage under the system in accordance with  
41 Section 218(d)(8) of the Social Security Act of services of individuals in  
42 positions covered by more than one retirement system. Where, prior to  
43 June 29, 1959, services in positions covered by a retirement system  
44 have been covered under the system, the legislative body of a  
45 municipality may request that services of individuals excluded from  
46 such coverage because such positions were covered by another  
47 retirement system be included under the system, and such services  
48 shall be covered under the system in accordance with Section 218(d)(8)  
49 of the Social Security Act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	7-454