



General Assembly

**Amendment**

January Session, 2019

LCO No. 10881



Offered by:

SEN. FASANO, 34<sup>th</sup> Dist.

SEN. WITKOS, 8<sup>th</sup> Dist.

To: House Bill No. 6935

File No. 1022

Cal. No. 651

**"AN ACT CONCERNING THE RIGHT OF A PUBLIC EMPLOYEE TO JOIN OR SUPPORT A UNION."**

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

3 "Section 1. (NEW) (*Effective October 1, 2019*) Notwithstanding any  
4 provision of the general statutes, any member of the state employees  
5 retirement system who retires on or after July 1, 2027, and receives  
6 retirement income under said system, or such member's successor  
7 beneficiary, except a person receiving survivor's benefits, shall,  
8 beginning the first day of January or July that follows nine months in  
9 retirement, be eligible for an annual cost-of-living adjustment as  
10 follows: The cost-of-living adjustment shall be calculated by using the  
11 percentage cost-of-living adjustment granted by the Social Security  
12 Administration for the applicable year, computed on the basis of the  
13 retirement benefits to which such retired member or successor  
14 beneficiary was entitled on the last day of the preceding December or  
15 June, as applicable, provided (1) no cost-of-living allowance shall

16 exceed five per cent; and (2) if the total return earned on the market  
 17 value of the pension assets for the preceding fiscal year is less than  
 18 eight and one-half per cent, any cost-of-living adjustment granted shall  
 19 not exceed one per cent; if such total return for the preceding fiscal  
 20 year is greater than eight and one-half per cent but less than eleven  
 21 and one-half per cent, any cost-of-living allowance granted shall not  
 22 exceed three per cent; and if such return exceeds eleven and one-half  
 23 per cent, any cost-of-living allowance granted shall not exceed five per  
 24 cent.

25 Sec. 2. Subsection (e) of section 5-278 of the general statutes are  
 26 repealed and the following is substituted in lieu thereof (*Effective*  
 27 *October 1, 2019*):

28 (e) Where there is a conflict between any agreement or arbitration  
 29 award approved in accordance with the provisions of sections 5-270 to  
 30 5-280, inclusive, on matters appropriate to collective bargaining, as  
 31 defined in said sections, and any general statute or special act, except  
 32 section 1 of this act, or regulations adopted by any state agency, the  
 33 terms of such agreement or arbitration award shall prevail; provided if  
 34 participation of any employees in a retirement system is effected by  
 35 such agreement or arbitration award, the effective date of participation  
 36 in said system, notwithstanding any contrary provision in such  
 37 agreement or arbitration award, shall be the first day of the third  
 38 month following the month in which a certified copy of such  
 39 agreement or arbitration award is received by the Retirement  
 40 Commission or such later date as may be specified in the agreement or  
 41 arbitration award."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section
Sec. 2	<i>October 1, 2019</i>	5-278(e)