

1 entitled to a retirement pension hereunder, and who has been in the
2 honorable service of such department for twenty years, may, upon
3 written application to the board of trustees, be retired from all
4 service in such department without medical examination or
5 disability. On such retirement the board of trustees shall
6 authorize the payment of annual retirement pension benefits
7 commencing upon ~~his~~ the member's retirement or upon ~~his~~ the
8 member's attaining the age of fifty years, whichever is later,
9 payable in twelve monthly installments for each year of the
10 remainder of ~~his~~ the member's life, in an amount equal to sixty
11 percent of such member's average annual salary or compensation
12 received during the three twelve-consecutive-month periods of
13 employment with such department in which such member received ~~his~~
14 the member's highest salary or compensation while a member of the
15 department, or an amount of \$500 per month, whichever is greater.

16 (b) Any member of any such department who is entitled to a
17 retirement pension under the provisions of subsection (a) of this
18 section and who has been in the honorable service of such
19 department for more than twenty years at the time of ~~his~~ the
20 member's retirement shall receive, in addition to the sixty percent
21 authorized in ~~said~~ subsection (a) of this section:

22 (1) Two additional percent, to be added to the sixty percent
23 for each of the first five additional years of service completed at
24 the time of retirement in excess of twenty years of service up to

1 a maximum of seventy percent; and

2 (2) One additional percent, to be added to such maximum of
3 seventy percent, for each of the first five additional years of
4 service completed at the time of retirement in excess of
5 twenty-five years of service up to a maximum of seventy-five
6 percent.

7 The total additional credit provided ~~for~~ in this subsection
8 may not exceed fifteen additional percent.

9 (c) Any member of any such department whose service has been
10 interrupted by duty with the Armed Forces of the United States as
11 provided in section twenty-seven of this article prior to July 1,
12 1981, shall be eligible for retirement pension benefits immediately
13 upon retirement, regardless of ~~his~~ the member's age, if ~~he~~ the
14 member shall otherwise be eligible for such retirement pension
15 benefits.

16 Any member or previously retired member of any such department
17 who has served in active duty with the Armed Forces of the United
18 States as described in section twenty-seven of this article,
19 whether prior to or subsequent to becoming a member of a paid
20 police or fire department covered by the provisions of this
21 article, shall receive, in addition to the sixty percent authorized
22 in subsection (a) of this section and the additional percent credit
23 authorized in subsection (b) of this section, one additional
24 percent for each year so served in active military duty, up to a

1 maximum of four additional percent. In no event, however, may the
2 total benefit granted to any member exceed seventy-five percent of
3 the member's annual average salary calculated in accordance with
4 subsection (a) of this section.

5 (d) Any member of a paid police or fire department shall be
6 retired at the age of sixty-five years in the manner provided in
7 this subsection. When a member of the paid police or fire
8 department reaches the age of sixty-five years, the said board of
9 trustees shall notify the mayor of this fact, within thirty days of
10 such member's sixty-fifth birthday. The mayor shall cause such
11 sixty-five-year-old member of the paid police or fire department to
12 retire within a period of not more than thirty additional days.
13 Upon retirement under the provisions of this subsection, such
14 member shall receive retirement pension benefits payable in twelve
15 monthly installments for each year of the remainder of ~~his~~ the
16 member's life in an amount equal to sixty percent of such member's
17 average annual salary or compensation received during the three
18 twelve-consecutive-month periods of employment with such department
19 in which such member received ~~his~~ the member's highest salary or
20 compensation while a member of the department, or an amount of \$500
21 per month, whichever is greater. If such member has been employed
22 in said department for more than twenty years, the provisions of
23 subsection (b) of this section shall apply.

24 (e) It shall be the duty of each member of a paid police or

1 fire department at the time a fund is hereafter established to
2 furnish the necessary proof of ~~his~~ the member's date of birth to
3 the said board of trustees, as specified in section twenty-three of
4 this article, within a reasonable length of time, said length of
5 time to be determined by the said board of trustees. Then the
6 board of trustees and the mayor shall proceed to act in the manner
7 provided in subsection (d) of this section and shall cause all
8 members of the paid police or fire department who are over the age
9 of sixty-five years to retire in not less than sixty days from the
10 date the fund is established. Upon retirement under the provisions
11 of this subsection, ~~(e)~~ such member, whether ~~he~~ the member has been
12 employed in said department for twenty years or not, shall receive
13 retirement pension benefits payable in twelve monthly installments
14 for each year of the remainder of ~~his~~ the member's life in an
15 amount equal to sixty percent of such member's average annual
16 salary or compensation received during the three
17 twelve-consecutive-month periods of employment with such department
18 in which such member received ~~his~~ the member's highest salary or
19 compensation while a member of the department, or an amount of \$500
20 per month, whichever is greater. If such member has been employed
21 in said department for more than twenty years, the provisions of
22 subsection (b) of this section shall apply.

23 (f) Notwithstanding any provision in the code to the contrary,
24 a retired member may serve as a chief of police beyond the age of

1 sixty-five while continuing to receive retirement benefits.
2 However, in such an instance, the retired member is not eligible to
3 continue his or her participation as a contributing member of the
4 pension fund and shall not continue to accrue any additional
5 service credit or benefits in the pension fund related to the
6 continued service.

NOTE: The purpose of this bill is to permit a retired police officer to be hired as a chief of police and continue to receive retirement benefits. The bill also limits such a person from paying into or to accrue any additional benefits related to the continued service.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.