

JAN 19 2023

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# 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. The legislature finds that state law requires a  
2 police officer employed after June 30, 2012, to meet both age  
3 and years of service requirements for retirement. An officer  
4 hired after this date is required to have twenty-five years of  
5 service and have attained fifty-five years of age. According to  
6 a study by the National Center for Biotechnology Information,  
7 the years of potential life lost for police officers are  
8 twenty-one times greater than that of the general population.  
9 Police officers generally have shorter life expectancy due to  
10 stress, shift work, obesity, and exposure to hazardous work  
11 environments. The study also found that a male police officer  
12 who reached fifty years of age between 1950 and 2005 was  
13 expected to live only 7.8 additional years, while a male in the  
14 general population of the United States that reached fifty years  
15 of age in the same time period was expected to live an  
16 additional thirty-five years. Further, male police officers  
17 fifty to fifty-four years of age had a nearly forty per cent



1 probability of death compared to a one per cent probability for  
2 males in the general population in the same age category.

3       The legislature further finds that, upon considering the  
4 results of this study, eliminating the minimum retirement age  
5 requirement for police officers and maintaining the twenty-five  
6 years of service requirement may help to reduce the mortality  
7 rate risk factor for police officers. For example, an officer  
8 who joins the police department at twenty years of age would  
9 have the option to retire at forty-five years of age, which  
10 would significantly reduce the possibility of health risk  
11 factors associated with police work. Additionally, the Honolulu  
12 and Maui police departments have developed a lateral transfer  
13 program to attract former officers from Hawaii or elsewhere to  
14 transfer to Honolulu or Maui, but the retirement requirements of  
15 twenty-five years of service and minimum age of fifty-five  
16 discourage many qualified individuals from transferring.

17       The purpose of this Act is to provide an incentive to  
18 recruit and retain more police officers.

19       SECTION 2. Section 88-73, Hawaii Revised Statutes, is  
20 amended by amending subsection (a) to read as follows:

21       " (a) Any member who:



- 1           (1) Became a member before July 1, 2012, and has at least  
2           five years of credited service and has attained age  
3           fifty-five;
- 4           (2) Became a member before July 1, 2012, and has at least  
5           twenty-five years of credited service;
- 6           (3) Has at least ten years of credited service, which  
7           includes service as a judge before July 1, 1999, an  
8           elective officer, or a legislative officer;
- 9           (4) Becomes a member after June 30, 2012, and has at least  
10          ten years of credited service and has attained age  
11          sixty; or
- 12          (5) Becomes a member after June 30, 2012, and has at least  
13          twenty-five years of credited service [~~and has~~  
14          ~~attained age fifty five~~],

15 shall become eligible to receive a retirement allowance after  
16 the member has terminated service."

17           SECTION 3. Section 88-99, Hawaii Revised Statutes, is  
18 amended to read as follows:

19           "**[+]§88-99[+]** **Moratorium on benefit enhancements.** There  
20 shall be no benefit enhancements under this chapter for any  
21 group of members, including any reduction of retirement age,

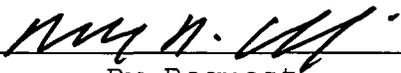
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1 until [~~such time as~~] the actuarial value of the system's assets  
2 is one hundred per cent of the system's actuarial accrued  
3 liability[-]; provided that any prohibition on the reduction of  
4 retirement age shall not apply to any member subject to section  
5 88-73(a)(5)."

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

8 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:   
By Request



# S.B. NO. 231

**Report Title:**

Maui County Council Package; ERS; Retirement Age

**Description:**

Repeals the minimum age requirement for individuals who become an Employees' Retirement System member after 6/30/2012, and who have at least 25 years of credited service.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

