

114TH CONGRESS  
1ST SESSION

# S. 969

To amend the Internal Revenue Code of 1986 to provide an exemption from the tax on early distributions for certain Federal law enforcement officers, firefighters, and air traffic controllers who retire before age 55, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 16, 2015

Mr. TOOMEY (for himself and Mr. BENNET) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to provide an exemption from the tax on early distributions for certain Federal law enforcement officers, firefighters, and air traffic controllers who retire before age 55, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Public Safety  
5 Retirement Fairness Act of 2015”.

1 **SEC. 2. EXEMPTION FROM TAX ON EARLY DISTRIBUTIONS.**

2 (a) IN GENERAL.—Subsection (t) of section 72 of the  
3 Internal Revenue Code of 1986 is amended by adding at  
4 the end the following new paragraph:

5 “(11) DISTRIBUTIONS TO QUALIFIED FEDERAL  
6 LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND  
7 AIR TRAFFIC CONTROLLERS FROM THE THRIFT SAV-  
8 INGS FUND.—

9 “(A) IN GENERAL.—In the case of a dis-  
10 tribution to a qualified Federal law enforcement  
11 officer, qualified firefighter, or qualified air  
12 traffic controller from the Thrift Savings Fund  
13 established under section 8437 of title 5,  
14 United States Code, paragraph (2)(A)(v) of this  
15 subsection shall be applied by substituting ‘age  
16 50 (or, if earlier, the age at which the employee  
17 has completed 25 years of creditable service)’  
18 for ‘age 55’.

19 “(B) QUALIFIED LAW ENFORCEMENT OF-  
20 FICER.—For purposes of this paragraph, the  
21 term ‘qualified law enforcement officer’ means  
22 an individual—

23 “(i) who is employed by the Federal  
24 Government as a law enforcement officer  
25 (within the meaning of section 4521,

1 5541(3), 8331(20), or 8401(17) of title 5,  
2 United States Code), and

3 “(ii) who has completed 20 years of  
4 creditable service.

5 “(C) QUALIFIED FIREFIGHTER.—For pur-  
6 poses of this paragraph, the term ‘qualified fire-  
7 fighter’ means an individual—

8 “(i) who is employed by the Federal  
9 Government as a firefighter (within the  
10 meaning of section 8331(21) of title 5,  
11 United States Code), and

12 “(ii) who has completed 20 years of  
13 creditable service.

14 “(D) QUALIFIED AIR TRAFFIC CON-  
15 TROLLER.—For purposes of this paragraph, the  
16 term ‘qualified air traffic controller’ means an  
17 individual—

18 “(i) who is employed as an air traffic  
19 controller (within the meaning of section  
20 2109 of title 5, United States Code), and

21 “(ii) who has completed 20 years of  
22 creditable service.

23 “(E) CREDITABLE SERVICE.—For pur-  
24 poses of this paragraph, the term ‘creditable

1           service' means creditable service under section  
2           8332 or 8411 of title 5, United States Code.”.

3           (b) **EFFECTIVE DATE.**—The amendment made by  
4 this section shall apply to distributions made in taxable  
5 years beginning after December 31, 2014.

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