

**HOUSE . . . . . No. 1447**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*John W. Scibak*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to equitable treatment under state retirement laws.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*John W. Scibak*

*2nd Hampshire*

*Barbara A. L'Italien*

*Second Essex and Middlesex*

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By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 1447) of John W. Scibak and Barbara A. L'Italien for legislation to expand retirement option selections to certain public retirees. Public Service.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2409 OF 2015-2016.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to equitable treatment under state retirement laws.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to grant all members of a retirement system the equal opportunity to select the appropriate retirement option, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Section 1: (a) Section 55 of Chapter 176 of the Acts of 2014 is hereby amended by  
2 striking out, in subsection (a), the words “May 17, 2005” and inserting in place thereof the  
3 words:- November 18, 2011.

4           (b) Said Section 55 of Chapter 176 of the Acts of 2014 is hereby amended by striking out,  
5 in subsection (c), the words “May 17, 2005” and inserting in place thereof the words:- November  
6 18, 2011

7           Section 3: In paying the retirement allowance under the new election, the board, as  
8 defined in section 1 of chapter 32, shall make appropriate adjustments, or arrange for appropriate  
9 repayments, upon such terms and condition as the board may prescribe, so as to recover any  
10 overpayments resulting from the prior election. Any member of a retirement system currently  
11 married and receiving a retirement allowance shall make and submit the change of retirement  
12 options not later than August 1, 2015. The election to change retirement option under this section  
13 shall be in a manner prescribed by the board, as defined in said section 1 of said chapter 32 and  
14 said board shall have 180 days after the submission of an application to implement the change.