

HOUSE No. 1730

The Commonwealth of Massachusetts

PRESENTED BY:

Robert M. Koczera

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 employer retirement contribution tranches.

PETITION OF:

NAME:

Robert M. Koczera

Benjamin Swan

DISTRICT/ADDRESS:

11th Bristol

11th Hampden

HOUSE No. 1730

By Mr. Koczera of New Bedford, a petition (accompanied by bill, House, No. 1730) of Robert M. Koczera and Benjamin Swan relative to matching contributions or annual additions by employers to retirement plans of employees. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to employer retirement contribution tranches.

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

1 Chapter 149 of the General Laws, as appearing in the 2012 Official Edition, is hereby
2 amended by inserting after section 181 the following section:-

3 Section 181A. Notwithstanding the provisions of section 181, or any other law to the
4 contrary, no person, firm, corporation or other entity providing a matching contribution or annual
5 addition to a 401(k) plan shall make such payment in a single lump sum in any taxable year on
6 behalf of or to an employee. For the purposes of this section “401(k) plan” means a traditional
7 401(k), a safe harbor 401(k), a SIMPLE 401(k) or an automatic enrollment 401(k) created
8 pursuant to 26 U.S.C. section 401(k). Any matching contribution or annual addition by an
9 employer to an employee 401(k) plan shall made at the regular pay period for such employee’s
10 wages or compensation.