

**HOUSE . . . . . No. 2476**

**The Commonwealth of Massachusetts**

PRESENTED BY:

**Bradley H. Jones, Jr.**

*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 passage of the accompanying bill:

An Act relative to pension equality.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	20th Middlesex
Viriato Manuel deMacedo	1st Plymouth
George N. Peterson, Jr.	9th Worcester
Elizabeth Poirier	14th Bristol
F. Jay Barrows	1st Bristol
Paul K. Frost	7th Worcester
Susan Williams Gifford	2nd Plymouth
Bradford R. Hill	4th Essex
Jeffrey Davis Perry	5th Barnstable
Karyn E. Polito	11th Worcester
Richard J. Ross	9th Norfolk
Todd M. Smola	1st Hampden
Robert S. Hargraves	1st Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO PENSION EQUALITY.

*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. Paragraph (a) of subdivision (2) of section 5 of chapter 32 of the General Laws, as  
2 appearing in the 2006 Official Edition, is hereby amended by striking out, in lines 84 to 98  
3 inclusive, the words “(a) The normal yearly amount of the retirement allowance for any member  
4 classified in Group 1, Group 2 or Group 4, who has paid the full amount of regular deductions on  
5 the total amount of regular compensation, including deductions specified in subdivision (3A) of  
6 section three, and in paragraph (d) of subdivision (1) of section twenty-two, shall, subject to the  
7 limitations set forth in this section, be based on the average annual rate of regular compensation  
8 received by such member during any period of three consecutive years of creditable service for  
9 which such rate of compensation was the highest, or on the average annual rate of regular  
10 compensation received by such member during the period or periods, whether consecutive or  
11 not, constituting his last three years of creditable service preceding retirement, whichever is the  
12 greater, and shall be computed according to the following table based on the age of such member  
13 and his number of years and full months of creditable service at the time of his retirement.” and  
14 inserting in place thereof the following words:-

15 (a) For those who entered service prior to January 1, 2010, the normal yearly amount of the  
16 retirement allowance for any member classified in Group 1, Group 2 or Group 4, who has paid  
17 the full amount of regular deductions on the total amount of regular compensation, including  
18 deductions specified in subdivision (3A) of section three, and in paragraph (d) of subdivision (1)  
19 of section twenty-two, shall, subject to the limitations set forth in this section, be based on the  
20 average annual rate of regular compensation received by such member during any period of three  
21 consecutive years of creditable service for which such rate of compensation was the highest, or  
22 on the average annual rate of regular compensation received by such member during the period  
23 or periods, whether consecutive or not, constituting his last three years of creditable service  
24 preceding retirement, whichever is the greater, and shall be computed according to the following  
25 table based on the age of such member and his number of years and full months of creditable  
26 service at the time of his retirement. For those who entered service on or after January 1, 2010,  
27 the normal yearly amount of the retirement allowance for any member classified in Group 1,  
28 Group 2 or Group 4, who has paid the full amount of regular deductions on the total amount of  
29 regular compensation, including deductions specified in subdivision (3A) of section three, and in  
30 paragraph (d) of subdivision (1) of section twenty-two, shall, subject to the limitations set forth  
31 in this section, be based on the average annual rate of regular compensation received by such  
32 member during all of said member's years of employment, with the average rate of regular  
33 compensation for each year adjusted for inflation index from that year to the year of retirement  
34 of said member, and shall be computed according to the following table based on the age of such  
35 member and his number or years and full months of creditable service at the time of his  
36 retirement.