

HOUSE No. 2480

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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 Creditable Service for Public Safety Officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Louis L. Kafka	8th Norfolk
William C. Galvin	6th Norfolk
David L. Flynn	8th Plymouth
Cleon H. Turner	1st Barnstable
Denise Provost	27th Middlesex
Elizabeth Poirier	14th Bristol
Bruce E. Tarr	First Essex and Middlesex
Geraldo Alicea	6th Worcester
James Dwyer	30th Middlesex
Timothy J. Toomey, Jr.	26th Middlesex
Michael O. Moore	Second Worcester
Harold P. Naughton, Jr.	12th Worcester
Walter F. Timilty	7th Norfolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO CREDITABLE SERVICE FOR PUBLIC SAFETY OFFICERS.

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. Section 3 of chapter 32 of the General Laws is hereby amended by inserting after
2 subdivision (5) the following subdivision:-

3 (5) Any public safety officer of a city or town who is a member in service or an inactive member
4 on authorized leave of absence of any county, city or town contributory retirement system, as the case
5 may be, who had rendered service in any other state for any previous period as a public safety officer
6 may, before the date any retirement allowance becomes effective for him, pay into the annuity savings
7 fund of the system in one sum, or in installments, upon such terms and conditions as the board may
8 prescribe, an amount equal to that which would have been withheld as regular deductions from his regular
9 compensation for such previous period, or most recent portion thereof, as he may elect, had such service
10 been rendered in the commonwealth and had he been a member of a county, city or town retirement
11 system during the period the service was rendered. Payment shall not be made and no credit shall be
12 allowed for service in other states in excess of five years; provided, that no credit shall be allowed and no
13 payment shall be accepted for any service for which the member shall be entitled to receive a retirement
14 allowance from any other state. In addition to the payment of such sum or installments thereof, such
15 member shall also pay into the annuity savings fund an amount of interest such that at the completion of
16 such payments the value of his accumulated payments, together with regular interest thereon, actually
17 made on account of such previous out-of-state service, shall equal the value of his accumulated regular
18 deductions which would have resulted if regular deductions had been made when regular compensation
19 for such service was actually received. Upon the completion of such payments, such member shall receive
20 the same credit for such period of his previous out-of-state service, or portion thereof elected, as would
21 have been allowed if such service had been rendered by him in the commonwealth. Such member shall
22 furnish board with such information as it shall require to determine the amount to be paid and the credit to
23 be allowed under this subdivision. At the time a retirement allowance becomes due to a member or to a
24 beneficiary under option (d) of subdivision (2) of section 12, if the Massachusetts service on the date
25 either retirement allowance becomes effective, or on the date the member attained age 65, whichever first
26 occurs, is less than the service in other states for which the member has paid, credit shall be allowed only
27 for the most recent service rendered in other states equal to such Massachusetts service, and the amount

28 paid for additional service shall be refunded with accumulated interest, refund to be made only when the
29 retirement allowance becomes due to the member or to the beneficiary under option (d) of subdivision (2)
30 of section 12, and if it is found that payment has been accepted for any service for which the member is
31 entitled to a retirement allowance from any other state, the amount paid for such service with accumulated
32 interest shall also be refunded with no retirement credit allowed.

33 This subdivision shall take effect with regard to a city, town or county retirement system upon its
34 acceptance by such system.

35 SECTION 2. Subdivision (1) of section 4 of said chapter 32, as so appearing, is hereby amended by
36 adding the following paragraph:-

37 Creditable service for periods out-of-state service in the case of any member who has acquired the right to
38 credit for such service as a member of a county, city or town retirement system, as the case may be, shall
39 be allowed as provided for in subdivision (5A) of section 3.