

HOUSE No. 2487

The Commonwealth of Massachusetts

PRESENTED BY:

Mark J. Cusack

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 enhancing cost of living adjustment for certain long term career public retirees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>1/17/2023</i>

HOUSE No. 2487

By Representative Cusack of Braintree, a petition (accompanied by bill, House, No. 2487) of Mark J. Cusack relative to enhancing cost of living adjustment for certain long-term career public retirees. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to enhancing cost of living adjustment for certain long term career public retirees.

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 102 of Chapter 32 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by adding at the end thereof the following:-

3 (h) Every member of the state employee retirement system and the teacher’s retirement
4 system who qualifies and has attained fifteen full years of retirement as of June 30 of the prior
5 fiscal year who receive a cost of living increase shall receive an additional one hundred dollar
6 benefit to said increase. Said one hundred dollar benefit shall be granted only to members of the
7 state retirement system and the teacher’s retirement system whose total annual retirement benefit
8 is less than the average annual retirement benefit as determined by the retirement system’s most
9 recent actuarial valuation and retired with twenty or more years of creditable service, provided
10 however, those members who retired with a disability benefit under sections 6, 7 or 26 shall be
11 eligible with less than twenty years of creditable service. Any surviving beneficiary of a
12 deceased member who would otherwise be eligible for aforesaid additional benefit under this

13 paragraph, including those beneficiaries receiving a benefit under sections 9, 12 or 101, shall
14 receive said additional benefit if it is determined they are eligible by the retirement board in
15 which they are a participant.

16 Every member of the state employee retirement system and the teacher's retirement
17 system who has attained twenty full years of retirement as of June 30 of the prior fiscal year who
18 receive a cost of living increase shall receive an additional two hundred dollar benefit to said
19 increase. Said two hundred dollar benefit shall be granted only to members of the state retirement
20 system and the teacher's retirement system whose total annual retirement benefit is less than the
21 average annual retirement benefit as determined by the retirement system's most recent actuarial
22 valuation and retired with twenty or more years of creditable service. Any surviving beneficiary
23 of a deceased member who would otherwise be eligible for aforesaid additional benefit under
24 this paragraph, including those beneficiaries receiving a benefit under section 9, 12 or 101, shall
25 receive said additional benefit if it is determined they are eligible by the retirement board in
26 which they are a participant.

27 SECTION 2. Section 103 of Chapter 32 of the General Laws, as appearing in the 2020
28 Official Edition, is hereby amended by adding at the end thereof the following:-

29 (k) Upon acceptance of the provisions of this paragraph as provided in paragraph (n),
30 every member of a retirement system other than the state employees retirement system and the
31 teachers' retirement system, who has attained fifteen full years of retirement as of June 30 of the
32 prior fiscal year and receives a cost of living increase pursuant to this section, shall receive an
33 additional one hundred dollar benefit to said increase. Said one hundred dollar benefit shall be
34 granted only to members of a retirement system, other than the state employees retirement

35 system and the teachers' retirement system, whose total annual retirement benefit is less than the
36 average annual retirement benefit as determined by their retirement system's most recent
37 actuarial valuation and retired with twenty or more years of creditable service, provided
38 however, those members who retired with a disability benefit under sections 6, 7 or 26 shall be
39 eligible with less than twenty years of creditable service. Any surviving beneficiary of a
40 deceased member who would otherwise be eligible for aforesaid additional benefit under this
41 paragraph, including those beneficiaries receiving a benefit under sections 9, 12 or 101, shall
42 receive said additional benefit if it is determined they are eligible by the retirement board in
43 which they are a participant.

44 (l) Upon acceptance of the provisions of this paragraph as provided in paragraph (n),
45 every member of a retirement system other than the state employees retirement system and the
46 teachers' retirement system, who has attained twenty full years of retirement as of June 30 of the
47 prior fiscal year and receives a cost of living increase pursuant to this section, shall receive an
48 additional two hundred dollar benefit to said increase. Said two hundred dollar benefit shall be
49 granted only to members of a retirement system other than the state employees retirement system
50 and the teachers' retirement system whose total annual retirement benefit is less than the average
51 annual retirement benefit as determined by their retirement system's most recent actuarial
52 valuation and retired with twenty or more years of creditable service, provided however, those
53 members who retired with a disability benefit under sections 6, 7 or 26 shall be eligible with less
54 than twenty years of creditable service. Any surviving beneficiary of a deceased member who
55 would otherwise be eligible for aforesaid additional benefit under this paragraph, including those
56 beneficiaries receiving a benefit under sections 9, 12 or 101, shall receive said additional benefit
57 if it is determined they are eligible by the retirement board in which they participate.

58 (m) Upon acceptance of the provisions of this paragraph as provided in paragraph (n),
59 every member of a retirement system other than the state employees retirement system and the
60 teachers' retirement system, who has attained fifteen but not more than twenty full years of
61 retirement as of June 30 of the prior fiscal year and receives a cost of living increase pursuant to
62 this section, shall receive an additional one hundred dollar benefit and for those who has attained
63 more than twenty years of retirement as of June 30 of the prior fiscal year, shall receive an
64 additional two hundred dollar benefit to said increase. Such additional benefits shall be granted
65 only to members of a retirement system, other than the state employees retirement system and
66 the teachers' retirement system, whose total annual retirement benefit is less than the average
67 annual retirement benefit as determined by their retirement system's most recent actuarial
68 valuation and retired with twenty or more years of creditable service, provided however, those
69 members who retired with a disability benefit under sections 6, 7 or 26 shall be eligible with less
70 than twenty years of creditable service. Any surviving beneficiary of a deceased member who
71 would otherwise be eligible for aforesaid additional benefit under this paragraph, including those
72 beneficiaries receiving a benefit under sections 9, 12 or 101, shall receive said additional benefit
73 if it is determined they are eligible by the retirement board in which they are a participant.

74 (n) Acceptance of the provisions of paragraphs (k). (l) or (m) shall be by a majority vote
75 of the board of such system, subject to the approval of the legislative body. For the purpose of
76 this section, "legislative body" shall mean, in the case of a city, the city council in accordance
77 with its charter, in the case of a town, the town meeting, in the case of a district, the district
78 members, and, in the case of an authority, the governing body. In the case of a county or region,
79 acceptance shall be by the county or regional retirement board advisory council at a meeting
80 called for that purpose by the county or regional retirement board, Acceptance of this paragraph

81 shall be deemed to have occurred upon the filing of the certification of such vote with the
82 commission. A decision to accept the provisions of this paragraph may not be revoked.