

**HOUSE . . . . . No. 2553**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Eugene L. O'Flaherty**

*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 the death of judges in the performance of their duties and survivors benefits.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

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# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO THE DEATH OF JUDGES IN THE PERFORMANCE OF THEIR DUTIES AND SURVIVORS BENEFITS.

*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. Chapter 32 of the General Laws is hereby amended by the adding the following  
2 new section:

3 Section 65K Pension; Death of Judge in Performance of Duties; Survivor's Benefits

4 In the event that that a Judge or Justice of any Massachusetts Court dies as a result of other than  
5 natural causes in the performance of his/her duties, the judge's designated survivors shall receive  
6 maximum retirement benefits, as if the Judge was fully vested, served the maximum number of  
7 years and reached the age of 70. For the purposes of this statute, "in the performance of his/her  
8 duties" shall include, but shall not be limited to: judicial assignments in any courthouse or other  
9 venue, such as hospitals or jails, used to conduct judicial business; to Emergency Judicial  
10 Response System assignments; to approved voluntary or assigned education programs or other  
11 assignment within the scope of his/her employment as a judge or justice. This statute shall apply  
12 to any judge or justice who deceased after January 2002. Benefits shall be effective at the date of  
13 death.

