

HOUSE No. 2630

The Commonwealth of Massachusetts

PRESENTED BY:

Alice Hanlon Peisch

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 benefits for teachers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>1/12/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/8/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/8/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/13/2023</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>2/14/2023</i>
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>3/8/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>3/8/2023</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/8/2023</i>
<i>Gerard J. Cassidy</i>	<i>9th Plymouth</i>	<i>3/8/2023</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>3/8/2023</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>3/8/2023</i>

HOUSE No. 2630

By Representative Peisch of Wellesley, a petition (accompanied by bill, House, No. 2630) of Alice Hanlon Peisch and others relative to retirement benefits for teachers. Public Service.

The Commonwealth of Massachusetts

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

An Act relative to benefits for teachers.

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 (i) of subdivision (4) of section 5 of chapter 32 of the General
2 Laws, as appearing in the 2020 Official Edition, as amended by chapter 134 of the acts of 2022 is
3 hereby amended by adding the following subsection after subsection (c):

4 (d) An active or inactive member of the teachers’ retirement system who: (1) is a teacher
5 or school nurse; (ii) became eligible for membership in the teachers’ retirement system before
6 July 1, 2001; (iii) began contributing to the teachers’ retirement system before July 1, 2001; and
7 (iv) did not provide a written election to participate or held a good faith belief that they elected to
8 participate in the alternative superannuation retirement benefit program to the teachers’
9 retirement system before July 1, 2001 nor at any other time prior to December 31, 2019, shall
10 have a new 1-time opportunity to elect to participate in the alternative superannuation retirement
11 benefit program.

12 SECTION 2. Paragraph 65, Section 1 of chapter 32 of the General Laws, as appearing in
13 the 2020 Official Edition, is hereby amended by adding after the word “service”, the following: ;
14 provided further that any person who served in a position described above who is vested in the
15 teacher’s retirement system or the State-Boston retirement system and is subsequently employed
16 by the executive office of education or the department of elementary and secondary education,
17 except a commissioner hired before January 1, 2023, shall retain the status of “teacher” and be
18 considered as remaining in service in that capacity.

19 SECTION 3. Section 3(8)(a) of chapter 32 of the General Laws, as appearing in the 2020
20 Official Edition, is hereby amended by adding after the word “system” in line 6, the following: ,
21 except a teacher who becomes employed at the executive office of education or the department
22 of elementary and secondary education shall remain in the teacher’s retirement system or the
23 Boston retirement system.

24 SECTION 4. Section 3(8) of chapter 32 of the General Laws, as appearing in the 2020
25 Official Edition, is hereby amended by adding the following subsection: e) An employee of the
26 executive office of education or the department of elementary and secondary education who is a
27 member of the state employees retirement system and who is reinstated in the teachers’
28 retirement system or the Boston retirement system pursuant to section (8)(a) shall not be deemed
29 to have had an interruption of membership or service. Upon reinstatement, the member will pay
30 into the annuity savings fund of the teachers’ retirement system or the State-Boston retirement
31 system in one sum, or in installments as the board may prescribe, makeup payments equal to the
32 difference between the contributions paid to the state employees retirement system and the
33 required contributions of the teachers’ retirement system or the State-Boston retirement system

34 on all regular compensation received during the period of membership in the state employees
35 retirement system.

36 SECTION 5. Section 3 (8) of chapter 32 of the General Laws, as appearing in the 2020
37 Official Edition, is hereby amended by adding the following subsection: f) notwithstanding the
38 provisions of this chapter or any other general or special law to the contrary, a member who is
39 reinstated in the teacher's retirement system or the Boston retirement system pursuant to (8)(a)
40 shall be entered into the state employees retirement system as a Group 1 state employee upon
41 retirement.