HOUSE DOCKET, NO. 2812 FILED ON: 1/21/2011

HOUSE . . . . . No. 2431

The Commonwealth of Massachusetts

PRESENTED BY:

Michael A. Costello

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:

An Act relative to the death of judges in the performance of their duties and survivors benefits.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael A. Costello	*1st Essex*

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HOUSE . . . . . No. 2431

By Mr. Costello of Newburyport, a petition (accompanied by bill, House, No. 2431) of Michael A. Costello relative to the death of judges in the performance of their duties and survivors benefits. Public Service.

The Commonwealth of Massachusetts

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:

SECTION 1. Chapter 32 of the General Laws is hereby amended by the adding the following new section:

Section 65K Pension; Death of Judge in Performance of Duties; Survivor's Benefits In the event that that a Judge or Justice of any Massachusetts Court dies as a result of other than natural causes in the performance of his/her duties, the judge's designated survivors shall receive maximum retirement benefits, as if the Judge was fully vested, served the maximum number of years and reached the age of 70.

For the purposes of this statute, "in the performance of his/her duties" shall include, but shall not be limited to: judicial assignments in any courthouse or other venue, such as hospitals or jails, used to conduct judicial business; to Emergency Judicial Response System assignments; to approved voluntary or assigned education programs or other assignment within the scope of his/her employment as a judge or justice. This statute shall apply to any judge or justice who deceased after January 2002. Benefits shall be effective at the date of death.