HOUSE DOCKET, NO. 2847 FILED ON: 1/21/2011

HOUSE . . . . . No. 2471

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:

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*
John P. Fresolo	*16th Worcester*

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HOUSE . . . . . No. 2471

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 2471) of Louis L. Kafka, William C. Galvin and John P. Fresolo relative to creditable service for retirement purposes for certain public safety officers. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2480* OF 2009-2010.]

The Commonwealth of Massachusetts

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:

SECTION 1. Section 3 of chapter 32 of the General Laws is hereby amended by inserting after subdivision (5) the following subdivision:-

(5) Any public safety officer of a city or town who is a member in service or an inactive member on authorized leave of absence of any county, city or town contributory retirement system, as the case may be, who had rendered service in any other state for any previous period as a public safety officer may, before the date any retirement allowance becomes effective for him, pay into the annuity savings fund of the system in one sum, or in installments, upon such terms and conditions as the board may prescribe, an amount equal to that which would have been withheld as regular deductions from his regular compensation for such previous period, or most recent portion thereof, as he may elect, had such service been rendered in the commonwealth and had he been a member of a county, city or town retirement system during the period the service was rendered. Payment shall not be made and no credit shall be allowed for service in other states in excess of five years; provided, that no credit shall be allowed and no payment shall be accepted for any service for which the member shall be entitled to receive a retirement allowance from any other state. In addition to the payment of such sum or installments thereof, such member shall also pay into the annuity savings fund an amount of interest such that at the completion of such payments the value of his accumulated payments, together with regular interest thereon, actually made on account of such previous out-of-state service, shall equal the

19 value of his accumulated regular deductions which would have resulted if regular deductions had
20 been made when regular compensation for such service was actually received. Upon the
21 completion of such payments, such member shall receive the same credit for such period of his
22 previous out-of-state service, or portion thereof elected, as would have been allowed if such
23 service had been rendered by him in the commonwealth. Such member shall furnish board with
24 such information as it shall require to determine the amount to be paid and the credit to be
25 allowed under this subdivision. At the time a retirement allowance becomes due to a member or
26 to a beneficiary under option (d) of subdivision (2) of section 12, if the Massachusetts service on
27 the date either retirement allowance becomes effective, or on the date the member attained age
28 65, whichever first occurs, is less than the service in other states for which the member has paid,
29 credit shall be allowed only for the most recent service rendered in other states equal to such
30 Massachusetts service, and the amount paid for additional service shall be refunded with
31 accumulated interest, refund to be made only when the retirement allowance becomes due to the
32 member or to the beneficiary under option (d) of subdivision (2) of section 12, and if it is found
33 that payment has been accepted for any service for which the member is entitled to a retirement
34 allowance from any other state, the amount paid for such service with accumulated interest shall
35 also be refunded with no retirement credit allowed.

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

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

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