HOUSE . . . . . No. 3474

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley relative to certain creditable service for public employees. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *72* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act RELATIVE TO CREDITABLE SERVICE FOR EMPLOYEES OF THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Sub-section (1) of section 4 of Chapter 32 of the General Laws as appearing in the 2004 Official Edition is hereby amended by inserting paragraph (g¾) as follows:

"An eligible member in service of the State Employees' Retirement System as set forth herein and subject to the following requirements of this paragraph shall be allowed to purchase as creditable service the period or periods during which said member: (1) had resigned for the purposes of maternity, paternity, adoption leave, to care for an ill immediate family member, or, (2) was on unpaid leave of absence for such purposes from the governmental unit in which the member was employed, and (3) for which no creditable service was granted; provided that at the time of the resignation or leave of absence, as the case may be, the member was a member in service in the State Employees' Retirement System. For purposes of this sub-section "immediate family member" shall mean spouse, son, daughter or parent. Said creditable service shall be determined by the State Board of Retirement according to rules and regulations adopted by the Board;

Provided that no credit shall be allowed unless and until such eligible member has paid into the Annuity Savings Fund of the State Employees' Retirement System in one sum or in installments, upon such terms and conditions as the Board may prescribe, an amount equal to the

17 deductions that would have been withheld had the member continued in service notwithstanding
18 the resignation or leave of absence, as determined by the Board, together with buyback interest;
19 provided further, that no credit shall be allowed, unless an eligible member can certify that
20 during the period or periods in question she did not engage in gainful employment or receive
21 income from employment.

22 An otherwise eligible member shall have completed ten or more years of membership
23 service as a member of the State Employees' Retirement System in order to qualify and receive
24 credit for the service purchase under this paragraph. The maximum creditable service allowable
25 under this paragraph for any member shall not exceed four years, regardless of the period of time
26 subsequent to a resignation or the number of leaves taken.

27 The provisions of this paragraph shall apply only to those otherwise eligible members of
28 the State Employees' Retirement System who are in active service as of the effective date of this
29 Act, or become members in active service subsequent to the effective date of this Act.

30 This paragraph may apply to eligible members in service of a public employee retirement
31 system governed by c.32, upon its acceptance by a majority vote of the board of such system,
32 subject to the approval of the legislative body. For the purpose of this paragraph, "legislative
33 body" shall mean, in the case of a city, the city council in accordance with its charter, in the case
34 of a town, the town meeting, in the case of a county, the county retirement board advisory
35 council, in the case of a district, the district members, and, in the case of an authority, the
36 governing body."