

November 3, 2020

Mr. Steven T. James, House Clerk
Office of the Clerk of the House
State House, Room 145
Boston, MA 02133

Dear Mr. James:

Pursuant to the provisions of Section 33 of Chapter 30 of the General Laws, I hereby submit the attached legislative recommendations from the Massachusetts Teachers' Retirement Board for consideration during the 2021-2022 legislative session.

The attachments to this letter contain summaries of six proposed recommendations and actual legislative drafts incorporating the recommendations. The six proposed bills are:

1. AN ACT RELATIVE TO THE MASSACHUSETTS TEACHERS RETIREMENT SYSTEM
2. AN ACT RELATIVE TO PENSION FORFEITURE
3. AN ACT ESTABLISHING A SPECIAL COMMISSION ON RETIREMENT CREDIT PURCHASES
4. AN ACT RELATIVE TO THE INTEREST CHARGED ON REFUND BUYBACKS
5. AN ACT CLARIFYING AND NORMALIZING NON-PUBLIC SCHOOL SERVICE PURCHASES
6. AN ACT RELATIVE TO DOMESTIC RELATIONS ORDERS

Please feel free to contact me should you have any questions about the content of these recommendations or need any additional information. Thank you for your assistance.

Sincerely,



Erika Glaster
Executive Director

EG/hp
encl.

**LEGISLATIVE RECOMMENDATIONS OF THE
MASSACHUSETTS TEACHERS' RETIREMENT BOARD
2021-2022 Legislative Session**

1. AN ACT RELATIVE TO THE MASSACHUSETTS TEACHERS
RETIREMENT SYSTEM.

This legislation would address certain Retirement Plus issues for members who transfer into the Massachusetts Teachers' Retirement System or members transferring into the Boston Retirement System as teachers from one of the other Massachusetts contributory retirement systems. The legislation would: end the Retirement Plus election for future members whose other retirement system service begins *on or after* the effective date of the legislation, thereby treating those members like every other new teacher who is mandated into the Retirement Plus program; change the Retirement Plus election from opt-in to opt-out for the transferring members whose prior service was rendered *before* the effective date of the legislation, who remain eligible to make the election; and provide a one-time confirming election into Retirement Plus for those existing members who previously failed to respond to their Retirement Plus election materials.

2. AN ACT RELATIVE TO PENSION FORFEITURE

This legislation would make substantive and technical changes to the retirement statutes regarding the forfeiture of a Massachusetts public employee retirement benefit. The legislation would: re-define the phrase “criminal offense involving violation of the laws applicable to his office or position” in the case of a member whose primary job responsibilities involve contact with children or any member of the Massachusetts Teachers’ Retirement System or a teacher who is a member of the Boston Retirement System to include possession of child pornography under G.L. c. 272, § 29C, as well as other sex offenses involving children; restrict forfeitures to felony convictions; allow for an “innocent beneficiary” named as an Option C beneficiary to collect the Option C survivor benefit notwithstanding the member’s forfeited benefit; continue to allow total forfeiture, but also allow retirement boards the option of a tiered reduction in pension benefits depending on the severity of the crime; and other technical changes.

3. AN ACT ESTABLISHING A SPECIAL COMMISSION ON RETIREMENT CREDIT PURCHASES

The purpose of this study would be to evaluate and study the costs and benefits attributable to all service purchases allowed under Chapter 32, to review the associated actuarial liabilities, to recommend appropriate cost-sharing between employee and employer, to explore whether the types of allowable service purchases can be expanded, and recommend any other changes deemed necessary to improve the long-term sustainability of the MTRS and other Massachusetts contributory retirement systems.

4. AN ACT RELATIVE TO THE INTEREST CHARGED ON
REFUND BUYBACKS

This technical change would correct an oversight and bring the statute in line with other buyback provisions that require interest to be paid through the date the buyback has been completed.

5. AN ACT CLARIFYING AND NORMALIZING NON-PUBLIC SCHOOL SERVICE PURCHASES

This legislation would clarify the eligibility requirements of educators who may purchase service credit for educational services provided to Massachusetts K-12 students in a publicly-funded non-public school. Additionally, the legislation would make the cost calculation consistent with the other service purchase sections in Chapter 32.

6. AN RELATIVE TO DOMESTIC RELATIONS ORDERS

This legislation would require members who file a Domestic Relations Order to file their order on a form prescribed by the retirement board.