

HOUSE No. 3280

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

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 public safety officers and creditable service.

PETITION OF:

NAME:

Brendan P. Crighton

DISTRICT/ADDRESS:

11th Essex

HOUSE No. 3280

By Mr. Crighton of Lynn, a petition (accompanied by bill, House, No. 3280) of Brendan P. Crighton relative to creditable service for certain public safety officers. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to public safety officers and creditable service.

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

3 (5) Any public safety officer of a city or town who is a member in service or an inactive
4 member, who had rendered service in any other state or for the Massachusetts Bay
5 Transportation Authority for any previous period as a public safety officer may, before the date
6 any retirement allowance becomes effective for him, pay into the annuity savings fund of the
7 system in one sum, or in installments, upon such terms and conditions as the board may
8 prescribe, an amount equal to that which would have been withheld as regular deductions from
9 his regular compensation for such previous period, or most recent portion thereof, as he may
10 elect, had such service been rendered in the commonwealth (other than the Massachusetts Bay
11 Transportation Authority) and had he been a member of a county, city or town retirement system
12 during the period the service was rendered. Payment shall not be made and no credit shall be
13 allowed for service in other states or the Massachusetts Bay Transit Authority in excess of five

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

37 interest, refund to be made only when the retirement allowance becomes due to the member or to
38 the beneficiary under option (d) of subdivision (2) of section 12, and if it is found that payment
39 has been accepted for any service for which the member is entitled to a retirement allowance
40 from any other state or the Massachusetts Bay Transportation Authority, the amount paid for
41 such service with accumulated interest shall also be refunded with no retirement credit allowed.

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

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

46 Creditable service for periods out-of-state service or service with the Massachusetts Bay
47 Transportation Authority in the case of any member who has acquired the right to credit for such
48 service as a member of a county, city or town retirement system, as the case may be, shall be
49 allowed as provided for in subdivision (5A) of section 3.