

HOUSE No. 3847

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Murphy and James E. Timilty

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 to clarify section 9A1/2 of chapter 32B.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

James M. Murphy

4th Norfolk

James E. Timilty

Bristol and Norfolk

HOUSE No. 3847

By Representative Murphy of Weymouth and Senator Timilty, a joint petition (subject to Joint Rule 12) of James M. Murphy and James E. Timilty relative to healthcare premiums of certain retired public employees. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to clarify section 9A1/2 of chapter 32B.

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. Chapter 32B of the General Laws is hereby amended by striking out section
2 9A1/2, as appearing in the 2014 Official Edition, and inserting in place thereof the following
3 section:-

4 Section 9A1/2. Whenever a retired employee or beneficiary receives a healthcare
5 premium contribution from a governmental unit, as defined by Chapter 32B, in a case where a
6 portion of the retiree’s creditable service is attributable to service in 1 or more other
7 governmental units, the first governmental unit shall be reimbursed, in accordance with this
8 paragraph, by the other governmental units for the portion of the premium contributions that
9 corresponds to the percentage of the retiree’s creditable service that is attributable to each
10 governmental unit; provided, however, that no governmental unit shall reimburse the first
11 governmental unit for such premium contribution if the creditable service of said employee in a
12 reimbursing governmental unit is less than or equal ten percent of such employee’s the total

13 creditable service. For the purpose of this section the other governmental units shall be assumed
14 to contribute 50% of the plan/plans in which the retiree and their dependents were enrolled in for
15 the prior fiscal year and any calculation shall be based on that amount.

16 Each Chapter 32 retirement board shall annually on or by December 1 certify and
17 distribute to the treasurer of each member unit the amount of creditable service for each
18 individual with creditable service from more than one governmental unit who retired after
19 January 1, 2011. Upon certification from their retirement board, of past M.G.L. Chapter 32
20 employment of any individual who retired on or after January 1, 2011, the treasurer of the first
21 governmental unit may annually, on or before January 15, notify the treasurer of the other
22 governmental units of the amount of reimbursement due for the previous fiscal year and provide
23 a copy of the notice of creditable service from such retirement board. The treasurer of the other
24 governmental unit shall immediately take all necessary steps to insure prompt payment of this
25 amount. Any governmental unit receiving a bill may pay the bill from its current health benefits
26 appropriation. In default of any such payment, the first governmental unit may maintain an
27 action of contract to recover the same, but there shall be no such reimbursement if the 2 systems
28 involved are the state employees' retirement system and the teachers' retirement system.