

HOUSE No. 4988

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo J. Puppolo, Jr.

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 regarding the disability pension for Misael Rodriguez administered by the Springfield retirement board.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>7/29/2024</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>7/30/2024</i>
<i>Adam Gomez</i>	<i>Hampden</i>	<i>7/31/2024</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>7/31/2024</i>

HOUSE No. 4988

By Representative Puppolo of Springfield, a petition (accompanied by bill, House, No. 4988) of Angelo J. Puppolo, Jr., and others (with the approval of the mayor and city council) relative to the accidental disability retirement allowance payable to Misael Rodriguez, a retired officer of the police department of the city of Springfield, by Springfield retirement board. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act regarding the disability pension for Misael Rodriguez administered by the Springfield retirement board.

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. (a) Notwithstanding any general or special law to the contrary, the
2 Springfield retirement board shall increase the accidental disability retirement allowance payable
3 to Misael Rodriguez, a retired officer of the police department of the city of Springfield who, as
4 a result of severe physical injuries sustained during a violent felonious assault while in the
5 performance of his duties on November 5, 2020, is totally and permanently incapacitated from
6 performing the essential duties of a police officer.

7 1. The annual amount of pension payable to Misael Rodriguez shall be equal to the
8 regular rate of compensation which would have been paid had he continued in service as a police
9 officer of the city of Springfield at the grade held by him at the time of his retirement until his
10 death or reaching mandatory retirement age, whichever comes first. All amounts paid under this
11 act shall be non-taxable to the extent allowable under state and federal law.

12 2. Upon attaining the mandatory retirement age for a police officer of the city of
13 Springfield, Misael Rodriguez shall receive a pension pursuant to section 7 of said chapter 32, a
14 yearly amount of pension equal to 80 per cent of the annual rate of the compensation he was
15 receiving on the day before he reaches the mandatory retirement age for a police officer in the
16 city of Springfield.

17 3. Notwithstanding any general or special law to the contrary, the benefits granted
18 herein shall be funded and administered by the Springfield retirement board, consistent with and
19 subject to chapter 32 of the General Laws.

20 SECTION 2. Notwithstanding any general or special law to the contrary, Misael
21 Rodriguez shall be entitled to receive indemnification for all hospital, medical and related
22 expenses that have been or may be incurred after the date of his retirement as a result of the
23 injuries sustained by him while in the performance of his duties on November 5, 2020, in
24 accordance with sections 100 and 100B of chapter 41 of the General Laws.

25 SECTION 3. Notwithstanding any general or special law to the contrary, the Springfield
26 retirement board shall forthwith pay to said Misael Rodriguez the amount credited to him as
27 accumulated total deductions in the annuity savings fund of the Springfield retirement board as
28 of the effective date of this act.

29 SECTION 4. Notwithstanding any general or special law to the contrary, if Misael
30 Rodriguez was married upon retirement then, upon his death, if he is still married to the spouse
31 he was married to upon retirement then, should his spouse to whom he was married on the date
32 upon retirement survive him, the retirement board of the city of Springfield shall pay to the
33 spouse an annuity in the amount of 75 per cent of the amount of the pension which otherwise

34 would have been payable to Misael Rodriguez until the spouse's death. The pension benefits
35 provided for in this section and section 1 shall be subject to section 103 of chapter 32 of the
36 General Laws.

37 SECTION 5. In the event that both Misael Rodriguez and his spouse to whom he was
38 married on the date upon retirement die before their children reach the age of 18 the payments
39 that would otherwise have been made to Misael Rodriguez' spouse shall be payable, per stirpes,
40 to each surviving children under the age of 18; provided, however, that payments shall continue
41 for the benefit of a surviving child 18 years or older who, on or before the date of death of
42 Misael Rodriguez or his spouse to whom he was married on the date upon retirement, whichever
43 is later, had been medically determined to be permanently physically or mentally incapacitated
44 from earning or for the benefit of a child under the age of 22 who is enrolled as a full-time
45 student as determined by the criteria of the educational institution.

46 SECTION 6. This act shall take effect upon its passage