

**HOUSE . . . . . No. 3891**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Mark J. Cusack and Walter F. 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 relative to the retirement benefits of Officer Brian Murphy of the Massachusetts State Police.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>3/15/2023</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Plymouth and Bristol</i>	<i>3/15/2023</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>3/21/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>3/21/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>3/23/2023</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>3/23/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>3/23/2023</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>3/27/2023</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>4/5/2023</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>4/6/2023</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>4/6/2023</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>4/6/2023</i>
<i>Marcus S. Vaughn</i>	<i>9th Norfolk</i>	<i>4/19/2023</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>4/19/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>5/25/2023</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>5/31/2023</i>
<i>Jeffrey Rosario Turco</i>	<i>19th Suffolk</i>	<i>6/5/2023</i>

*David T. Vieira*

*3rd Barnstable*

*6/20/2023*

**HOUSE . . . . . No. 3891**

By Representative Cusack of Braintree and Senator Timilty, a joint petition (subject to Joint Rule 12) of Mark J. Cusack, Walter F. Timilty and others relative to the retirement benefits of Brian Murphy, a uniformed member of the Department of State Police. Public Service.

**The Commonwealth of Massachusetts**

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

An Act relative to the retirement benefits of Officer Brian Murphy of the Massachusetts State Police.

*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 state  
2 retirement board shall retire Brian Murphy, a uniformed member of the department of state  
3 police, who as a result of injuries sustained while in performance of his duties on June 2, 2021, is  
4 totally and permanently incapacitated from performing the essential duties of a uniformed  
5 member of the department of state police.

6 (b) The annual amount of pension payable to Brian Murphy shall be equal to the regular  
7 rate of compensation that would have been paid had he continued in service as a uniformed  
8 member of the department of state police at the grade held by him at the time of his retirement  
9 until his death or reaching mandatory retirement age, whichever comes first, whichever comes  
10 first. The additional benefits granted in this act shall be funded and administered by the state  
11 retirement board, consistent with and subject to chapter 32 of the General Laws. All amounts  
12 paid under this act shall be non-taxable to the extent allowable under state law.

13 (c) Upon attaining the mandatory retirement age for a uniformed member of the  
14 department of state police, Brian Murphy shall receive a pension pursuant to section 7 of said  
15 chapter 32, a yearly amount of pension equal to 80 per cent of the annual rate of the  
16 compensation he was receiving on the day before he reaches the mandatory retirement age for a  
17 uniformed member of the department of state police.

18 SECTION 2. Notwithstanding any general or special law to the contrary, Brian Murphy  
19 shall be entitled to receive indemnification for all hospital, medical and related expenses that  
20 have been or may be incurred after the date of his retirement as a result of the injuries sustained  
21 by him while in performance of his duties on June 2, 2021

22 SECTION 3. Notwithstanding any general or special law to the contrary, the state  
23 retirement board shall forthwith pay to said Brian Murphy the amount credited to him as  
24 accumulated total retirement deductions as of the effective date of this act.

25 SECTION 4. Notwithstanding any general or special law to the contrary, if Brian Murphy  
26 was married on the effective date of this act then, upon his death, if he is still married to the  
27 spouse he was married to upon the effective date of this act, should said spouse survive him, the  
28 state retirement board shall pay to said spouse an annuity in the amount of 75 per cent of the  
29 amount of the pension which otherwise would have been payable to Brian Murphy until the  
30 spouse's death. The pension benefits provided for in this section and section 1 shall be subject to  
31 section 103 of chapter 32 of the General Laws.

32 SECTION 5. In the event that both Brian Murphy and his spouse to whom he was  
33 married on the effective date of this act die before their children reach the age of 18 the payments  
34 that would otherwise have been made to his spouse shall be payable, per stirpes, to each

35 surviving children under the age of 18; provided, however, that payments shall continue for the  
36 benefit of surviving child 18 years or older who, on or before the date of death of Brian Murphy  
37 or his spouse to whom he was married on the effective date of this act, whichever is later., had  
38 been medically determined to be permanently physically or mentally incapacitated from earning  
39 or for the benefit of a child under the age of 22 who is enrolled as a full-time student as  
40 determined by the criteria of the educational institution.

41 SECTION 6. This act shall take effect as of June 21, 2022.