

**HOUSE . . . . . No. 2476**

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the Year Two Thousand Nine**  
\_\_\_\_\_

An Act relative to pension equality..

*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. Paragraph (a) of subdivision (2) of section 5 of chapter 32 of the General  
2 Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out, in lines 84 to  
3 98 inclusive, the words “(a) The normal yearly amount of the retirement allowance for any  
4 member classified in Group 1, Group 2 or Group 4, who has paid the full amount of regular  
5 deductions on the total amount of regular compensation, including deductions specified in  
6 subdivision (3A) of section three, and in paragraph (d) of subdivision (1) of section twenty-two,  
7 shall, subject to the limitations set forth in this section, be based on the average annual rate of  
8 regular compensation received by such member during any period of three consecutive years of  
9 creditable service for which such rate of compensation was the highest, or on the average annual  
10 rate of regular compensation received by such member during the period or periods, whether  
11 consecutive or not, constituting his last three years of creditable service preceding retirement,  
12 whichever is the greater, and shall be computed according to the following table based on the age  
13 of such member and his number of years and full months of creditable service at the time of his  
14 retirement.” and inserting in place thereof the following words:-

15 (a) For those who entered service prior to January 1, 2010, the normal yearly amount of  
16 the retirement allowance for any member classified in Group 1, Group 2 or Group 4, who has  
17 paid the full amount of regular deductions on the total amount of regular compensation,  
18 including deductions specified in subdivision (3A) of section three, and in paragraph (d) of  
19 subdivision (1) of section twenty-two, shall, subject to the limitations set forth in this section, be  
20 based on the average annual rate of regular compensation received by such member during any  
21 period of three consecutive years of creditable service for which such rate of compensation was  
22 the highest, or on the average annual rate of regular compensation received by such member  
23 during the period or periods, whether consecutive or not, constituting his last three years of  
24 creditable service preceding retirement, whichever is the greater, and shall be computed  
25 according to the following table based on the age of such member and his number of years and  
26 full months of creditable service at the time of his retirement. For those who entered service on  
27 or after January 1, 2010, the normal yearly amount of the retirement allowance for any member  
28 classified in Group 1, Group 2 or Group 4, who has paid the full amount of regular deductions on  
29 the total amount of regular compensation, including deductions specified in subdivision (3A) of  
30 section three, and in paragraph (d) of subdivision (1) of section twenty-two, shall, subject to the  
31 limitations set forth in this section, be based on the average annual rate of regular compensation  
32 received by such member during all of said member's years of employment, with the average  
33 rate of regular compensation for each year adjusted for inflation index from that year to the year  
34 of retirement of said member, and shall be computed according to the following table based on  
35 the age of such member and his number or years and full months of creditable service at the time  
36 of his retirement.