

HOUSE No. 2593

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to 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. Subdivision (1) of section 4 of chapter 32 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by adding the following paragraph:

3 Any member in service of the Massachusetts Teachers Retirement System who,
4 immediately preceding the establishment of membership in that system or re-entry into active
5 service in that system, was compensated for service to the commonwealth as a contract employee
6 for any department, agency, board or commission of the commonwealth, may establish as
7 creditable service up to 4 years of that service if the member has 10 years of creditable service
8 with the Massachusetts Teachers Retirement System, and if the job description of the member in
9 the position which the member holds upon entry into service or re-entry into active service is
10 similar to the job description of the position for which the member was compensated as a
11 contract employee for the Commonwealth. No credit shall be allowed until the member has paid
12 into the Massachusetts Teachers Retirement System before any retirement allowance becomes
13 effective for the member, in a lump sum or in installments, upon the terms and conditions that
14 the Massachusetts Teachers Retirement System prescribes, makeup payments of an amount equal

15 to that which would have been withheld as regular deductions for the service as a contract
16 employee if the service had been rendered as a municipal employee and the member had been a
17 member of the Massachusetts Teachers Retirement System, plus buyback interest on that
18 amount. Eligible members who worked part-time as State contract employees shall be eligible
19 for creditable service proportionately equal to their part-time service.

20 Upon completion of the payments, the member shall receive the same credit for the
21 period of previous service as a contract employee as would have been allowed if the service had
22 been rendered by the member as a municipal employee. Members in service of the
23 Massachusetts Teachers Retirement System who make application for this creditable service
24 shall, subject to the rules and regulations of the Massachusetts Teachers Retirement System, be
25 notified by the State of their eligibility for creditable service and, if they are eligible, shall also
26 be notified by the Massachusetts Teachers Retirement System that they have the following
27 options: (1) to purchase the service in a lump sum within 180 days after the date of the notice; or
28 (2) to enter into an installment agreement within 180 days after the date of the notice to pay for
29 the service. No creditable service shall be allowed under this section unless the member
30 provides documentation of the member's service as a contract employee satisfying the
31 Massachusetts Teachers Retirement requirements.