

HOUSE No. 3739

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative To Define Certain Disabilities.

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 32 of the General Laws, as appearing in the 2006 Official Edition
2 is amended by adding the following: — Section 94C. Notwithstanding the provisions of any
3 general or special law to the contrary affecting the non-contributory or contributory retirement
4 system, any condition or impairment of health caused by any disease of the lungs or respiratory
5 tract, resulting in total disability or death of a member of such system whose impairment was
6 caused by negative environmental factors in the workplace and which occurred subsequent to
7 employment in such workplace shall be presumed to have been suffered in the performance of
8 the job unless the contrary be shown by competent evidence .