

SENATE No. 1046

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to dual membership and regular compensation..

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. Subsection (2) of section 5 of chapter 32 of the General Laws, as appearing
2 in the 2006 Official Edition, is hereby amended by adding the following paragraph:-

3 (e) Any person who has been a member of two or more systems, and who, on or after
4 January first, two thousand and ten, has received regular compensation from two or more
5 governmental units, shall, notwithstanding and general or special law to the contrary, upon
6 retirement receive a superannuation retirement allowance to become effective on the date of
7 retirement that is equal to the sum of the benefits calculated pursuant to this section as though the
8 member were retiring solely from each system, provided, however, that the provisions of this
9 paragraph shall not apply to a member who has received part time creditable service in one or
10 more systems and provided, further, that, notwithstanding the provisions of paragraph (c) of
11 subsection (8) of section 3, each system shall pay the superannuation retirement allowance
12 attributable to membership in that system to the member.