

SENATE No. 1119

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act authorizing certain retired employees creditable retirement service in the armed forces..

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 (h) of subdivision (1) of section 4 of chapter 32 of the General
2 Laws, as appearing in the 2000 Official Edition, is hereby amended by adding the following
3 paragraph:-Notwithstanding the provisions of this chapter or any other general or special law,
4 rule or regulation to the contrary, any former member who has been retired under the provisions
5 of this chapter who is a veteran who served in the armed forces of the United States and who has
6 completed ten or more years of membership service shall be entitled to credit for active service
7 in the armed services of the United States; provided, however, that such active service shall not
8 be credited until such member has paid into the annuity savings fund of such system, in one sum
9 or in installments, upon such terms and conditions as the board may prescribe, makeup
10 payments, for each year of creditable service sought, of an amount equal to the ten percent of the
11 regular annual compensation of the member when said member entered the retirement system;
12 and, provided further that such creditable service shall not be construed to include service for
13 more than four years; provided, further, that such creditable service shall not be allowed for any
14 period of active service for which said veteran has received credit pursuant to paragraph (h) of

15 subsection (1) of section 4 of chapter thirty-two of the General Laws or for which said veteran
16 receives a federal military pension. This act shall apply to Massachusetts National Guard and
17 Active Reserve personnel, both former and present. Creditable service time, both enlisted and
18 commissioned may be applied toward retirement on a ration of five years guard service or five
19 years active service substitutable for each year of active service.

20 SECTION 2. For the retirement system of any political subdivision, the provisions of
21 this act shall take effect on the effective date of this act by majority vote of the board of such
22 system and by the local legislative body. For the purposes of this paragraph, local legislative
23 body shall mean a town meeting for a town system, the city council subject to the provisions of
24 its charter for a city system, the county commissioners for a county system, the district members
25 for a district system and the governing body of an authority for an authority system. Acceptance
26 shall be deemed to have occurred upon the filing of a certification of such vote with the
27 commissioner. Former employees who have been retired under the provisions of chapter 32
28 eligible for said creditable service under this act shall make application for said creditable service
29 within one hundred and eighty days of being notified by the retirement board of their eligibility
30 after becoming vested in the retirement system, or for currently eligible members, within one
31 hundred and eighty days of the acceptance of this act by the local legislative body. Terms used in
32 this act shall have the same meaning as those terms defined in section one of chapter thirty-two
33 of the General Laws.