

SENATE No. 1149

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the fair treatment of certain teachers' retirement benefits..

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. Notwithstanding any general or special law to the contrary, The
2 Massachusetts Teachers' Retirement System shall recognize as "pensionable" any "enhanced
3 longevity buy-out option" or similar "extended service compensation" benefit permitted in a
4 collective bargaining agreement or an individual contract, provided that:

5 1. the collective bargaining agreement or individual contract that authorizes the
6 "enhances longevity buy-out option" or "extended service compensation" benefit shall have been
7 in effect on or before January 25, 2006; and

8 2. that the employee begins to receive said benefit during the term of the collective
9 bargaining agreement or individual contract that was in effect on or before January 25, 2006.

10 If the collective bargaining agreement took effect after January 25, 2006, The
11 Massachusetts Teachers' Retirement System shall recognize as "pensionable" any "enhanced
12 longevity buy-out option" plan or similar "extended service compensation" benefit provided that:

13 1. the collective bargaining agreement or individual contract continues the same
14 “enhanced longevity buy-out option” or “extended service compensation” benefit as that
15 provided in the collective bargaining agreement in effect on January 25, 2006; and

16 2. the employee shall have notified his school district of his intent to collect said benefit
17 on or before January 25, 2006 in writing received by the district; and

18 3. that the employee shall have begun collecting said “enhanced longevity buy-out
19 option” or “extended service compensation” benefit on or before September 31, 2006.

20 SECTION 2. This act shall take effect upon its passage.