

SENATE No. 1156

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act further regulating public retirement systems..

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 (c) of subdivision (7) of section 22 of chapter 32 of the General
2 Laws, as appearing in the 2006 official edition, is hereby amended by inserting at the end thereof
3 the following sentence:- In any system in which a housing authority is a governmental unit, the
4 amounts to be paid for the three aforesaid funds of such system for any such fiscal year shall be
5 allocated in the same proportion as the governmental units' actuarially determined accrued
6 liability pertaining to such governmental units' employees or retirees bears to the total accrued
7 liability of such system.

8 SECTION 2. Paragraph (a) of subdivision (5) of section 28 of chapter 32 of the General
9 Laws, as so appearing, is hereby amended by deleting the fourth sentence in its entirety and
10 inserting in place thereof the following sentence:- The commission shall also notify the county
11 commissioners, the mayor or the board of selectmen, and the appropriate retirement board as set
12 forth in paragraph (b), of the acceptance of such sections by the authority and of the date as of
13 which such sections will become operative for its employees.

14 SECTION 3. Paragraph (b) of subdivision (5) of section 28 of chapter 32 of the General
15 Laws, as so appearing, is hereby amended by deleting the paragraph in its entirety and inserting
16 in place thereof the following new paragraph (b):-

17 (b) On and after the date when sections one to twenty-eight, inclusive, become operative
18 for the employees of any authority as set forth in paragraph (a) of this subsection, such authority
19 must elect, by vote duly recorded, that the eligible employees of such authority shall become
20 members of the system of the city or town within whose territory the authority lies, or of the
21 county or regional retirement systems established under the provisions of paragraph (b) of
22 subdivision (3) of this section or section nineteen of chapter thirty-four B, respectively, within
23 whose territory the authority lies, or of the state employees' retirement system, in the same
24 manner as if such a system were established for such authority. Any such authority having
25 previously accepted sections one to twenty-eight, inclusive, the employees of which are members
26 of the system of the city or town within whose territory the authority lies, may, on or before
27 December thirty first, two thousand ten, elect, by a vote duly recorded, that the eligible
28 employees of such authority shall become members of the county or regional system established
29 under the provisions of paragraph (b) of subdivision (3) of this section or section 19 of chapter
30 34B, within whose territory the authority lies, or of the state employee's retirement system.
31 Elections hereunder shall be irrevocable.

32 SECTION 4. Subdivision (5) of section 28 of chapter 32 of the General Laws, as so
33 appearing, is hereby amended by adding the following new paragraph (b ½):-

34 (b ½) The employees of any authority who, as a result of the election set forth in
35 paragraph (b) become members of a subsequent retirement system, shall have their accumulated

36 deductions transferred to such retirement system, and upon receipt, such retirement system shall
37 assume liability for such employees' retirement benefits, subject to the provisions of paragraph
38 (c) of subdivision (8) of section 3.