

SENATE No. 1162

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act further regulating retirement laws..

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. Section 9 of Chapter 32, as appearing in the 1996 Official Edition, is
2 hereby amended by striking out subsection (1) and inserting in place thereof the following
3 subsection:- Section 9(1). Conditions for allowance. If the board, upon receipt of proper proof,
4 finds that any member in service died as the natural and proximate result of a personal injury
5 sustained or a hazard undergone as a result of, and in the performance of, his/her duties at some
6 definite place and at some definite time on or after the date of his/her becoming a member or
7 prior to such date while any provision of this chapter relating to non-contributory pensions was
8 applicable to him/her, without serious and willful misconduct on his/her part, the payments and
9 allowance hereinafter referred to in this section shall be granted to his beneficiary or
10 beneficiaries, in the sum or sums, and upon the terms and conditions, specified in this section.
11 Except as provided for in subdivision (3) of section seven, no payments or allowances shall be
12 granted under this section unless such injury was sustained or such hazard was undergone within
13 two years prior to the death of such member or, if occurring earlier, unless written notice thereof
14 was filed with the board by him or in his behalf within ninety days after its occurrence. The

15 provisions of this section shall apply although such member had previously been retired if the
16 board finds that such death was the natural and proximate result of a personal injury sustained in
17 hazard undergone as a result of, and while in the performance of his duties.