

**HOUSE . . . . . No. 3661**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Aaron Vega and John J. Mahoney*

---

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing post-employment sick leave banks.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>8/5/2013</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>	
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>8/16/2013</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>	<i>8/16/2013</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>8/16/2013</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	<i>8/15/2013</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>	<i>8/13/2013</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>8/14/2013</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>8/13/2013</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>	<i>8/14/2013</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>	<i>8/13/2013</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>8/16/2013</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	<i>8/16/2013</i>

**HOUSE . . . . . No. 3661**

By Messrs. Vega of Holyoke and Mahoney of Worcester, a petition (subject to Joint Rule 12) of Aaron Vega, John J. Mahoney and others for legislation to establish post-employment sick leave banks. Public Service.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act establishing post-employment sick leave banks.

*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. Chapter 32 of the General Laws is hereby amended by inserting after  
2 section 12D the following section:-

3 Section 12E. (a) For purposes of this section “dependent child” shall mean any unmarried  
4 child under 19 years of age, any child 19 years of age or over who is mentally or physically  
5 incapable of earning the child’s own living or any unmarried child 19 years of age or over who is  
6 a full-time student in an educational or vocational institution and whose program of education  
7 has not been substantially interrupted by full-time gainful employment, excluding service in the  
8 armed forces. The standards for such full-time instruction and the time required to complete such  
9 a program of education shall be determined by the appropriate public authority.

10 (b) If a member in service, as described in subparagraph (i) of paragraph (a) of  
11 subdivision (1) of section 3, dies leaving a dependent child, the department, agency, board or  
12 commission that employed the deceased member shall establish a post-employment sick leave  
13 bank in the deceased member’s name. Members in service of the same department, agency,  
14 board or commission that employed the deceased member may donate unused sick leave time to  
15 the deceased member’s post-employment sick leave bank.

16 (c) All sick leave time donated to a post-employment sick leave bank shall be converted  
17 to cash and paid to the guardian of the dependent child for the benefit of the child. The monetary  
18 value of each donation of sick leave time shall be determined by the rate of compensation  
19 received by the donating member at the time of the deceased member’s death. If a deceased

20 member leaves more than 1 dependent child, payments shall be divided evenly among the  
21 children.

22 (d) The commission shall promulgate rules and regulations necessary to carry out this  
23 section.

24 SECTION 2. This act shall take effect as of January 1, 2013.