

**SENATE . . . . . No. 1217**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Kenneth J. Donnelly***

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*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 clarifying dual service.

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PETITION OF:

NAME:

*Kenneth J. Donnelly*

DISTRICT/ADDRESS:

*Fourth Middlesex*

**SENATE . . . . . No. 1217**

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By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 1217) of Kenneth J. Donnelly for legislation to clarify dual service. Public Service.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act clarifying dual service.

*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. Subsection (2) of Section 5 of Chapter 32 of the General Laws, as  
2 appearing in the 2010 Official Edition, is hereby amended by striking paragraph (e) and  
3 inserting in place thereof the following paragraph:-

4           (e) A person who has received regular compensation from 2 or more governmental units  
5 concurrently within five years of the effective date of retirement, shall, upon retirement, receive  
6 a superannuation retirement allowance to become effective on the date of retirement that is equal  
7 to the sum of the benefits calculated pursuant to this section as though the member were retiring  
8 solely from each governmental unit; provided, however, that notwithstanding paragraph (c) of  
9 subdivision (8) of section 3, each system shall pay the superannuation retirement allowance  
10 attributable to membership in that system to the member; and provided further, that this section  
11 shall not apply to any member who has vested in 2 or more systems as of January 1, 2010.