

SENATE No. 2134

Senate, Thursday, May 8, 2014 - Text of the Senate (Senator Donnelly) amendment to Senate Bill relative to the disability retirement of Woburn police officer Robert DeNapoli (Senate, No. 2042).

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to the disability retirement of Woburn police officer Robert DeNapoli.

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. (a) Notwithstanding any general or special law to the contrary and in order
2 to promote the public good, the Woburn retirement board shall retire Robert DeNapoli, a police
3 officer in the Woburn Police Department who was injured in the line of duty on September 6,
4 2011 and, as a result, is totally and permanently incapacitated from performing the essential
5 duties of a police officer. The benefits shall be paid and administered in accordance with section
6 7 of chapter 32 of the General Laws. Upon retirement, Robert DeNapoli shall receive a lump
7 sum payment from the Woburn retirement board equal to his total accumulated retirement
8 deductions.

9 (b)The annual amount of pension payable to Robert DeNapoli shall be equal to the
10 regular rate of compensation which would have been payable to him had he continued in service
11 as a police officer at the grade held by him at the time of his retirement until his death or until
12 reaching age 65, whichever first occurs. The retirement shall become effective commencing on
13 the date immediately following the final day for which Robert DeNapoli received regular
14 compensation for such employment. The additional benefits granted in this act shall be funded
15 and administered by the Woburn retirement board, consistent with and subject to said chapter 32,
16 except that sections 8 and 91A of said chapter 32 shall not apply. All amounts paid under this
17 act shall be nontaxable.

18 (c) Upon attaining age 65, Robert DeNapoli shall receive a pension pursuant to section 7
19 of chapter 32 of the General Laws, the yearly amount of which shall be equal to 80 per cent of
20 the average annual rate of compensation paid to him in the previous 12 months.

21 (d) If Robert DeNapoli shall be married at the time of his retirement, then, upon his
22 death, the Woburn retirement board shall pay his surviving spouse, if then living, a pension,
23 payable in monthly installments, in the amount of 75 per cent of the annualized amount of the
24 pension payable to Robert DeNapoli on the date of his death. The pension shall be subject to
25 section 103 of said chapter 32.

26 (e) Robert DeNapoli shall be indemnified for hospital, medical and other healthcare
27 expenses related to treatment of injuries sustained while in the line of duty on September 6, 2011
28 not otherwise covered by health insurance.

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