

HOUSE No. 4044

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to veteran retirement benefits.

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 (h) of subdivision (1) of section 4 of said chapter 32, as
2 appearing in the 2014 Official Edition, is hereby amended by adding the following paragraph :

3 Notwithstanding the provisions of this chapter or any other general or special law, rule or
4 regulation to the contrary, a member retired prior to July 24, 1996, in a retirement system as
5 defined in section one who is a veteran , as defined Chapter 4 section 7, who served in the armed
6 forces of the United States shall be entitled to credit for active service in the armed services of
7 the United States; provided that such creditable service shall not be construed to include service
8 for more than four years; and, provided further, that such creditable service shall not be allowed
9 for any period of active service for which said veteran has received credit pursuant to paragraph
10 (h) of subsection (1) of section 4 of chapter thirty-two of the General Laws and provided further,
11 that the amount does not exceed the eighty percent allowed to retire. This act shall apply to
12 Massachusetts National Guard and Active Reserve personnel, both former and present.
13 Creditable service time, both enlisted and commissioned, may be applied toward retirement on a

14 ratio of five years guard service or five years active reserve service substitutable for each year of
15 active service.

16 SECTION 2. For the retirement system of any political subdivision, the provisions of this
17 act shall take effect on the effective date of this act by majority vote of the board of such system
18 and by the local legislative body. For the purposes of this paragraph local legislative body shall
19 mean a town meeting for a town system, the city council subject to the provisions of its charter
20 for a city system, the county commissioners for a county system, the district members for a
21 district system and the governing body of an authority for an authority system. Acceptance shall
22 be deemed to have occurred upon the filing of a certification of such vote with the commissioner.
23 Members retired prior to July 24, 1996 of a retirement system eligible for said creditable service
24 under this act shall become eligible for said creditable service the month following the
25 acceptance of this act by the local legislative body. Terms used in this act shall have the same
26 meaning as those terms defined in section one of chapter thirty-two of the General Laws.

27 SECTION 3. Section 6 of chapter 116 of the acts of 2002 is hereby amended by striking
28 out the last sentence.