

SENATE No. 1335

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato M. deMacedo

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 relative to the retroactive application of veterans creditable service.

PETITION OF:

NAME:

Viriato M. deMacedo

DISTRICT/ADDRESS:

Plymouth and Barnstable

SENATE No. 1335

By Mr. deMacedo, a petition (accompanied by bill, Senate, No. 1335) of Viriato M. deMacedo for legislation relative to the retroactive application of veterans creditable service. Public Service.

The Commonwealth of Massachusetts

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

An Act relative to the retroactive application of veterans creditable 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. Paragraph (b) of subdivision (2) of section 5 of chapter 32 of the General
2 Laws is hereby amended by inserting at the end thereof the following new sentences:-
3 ; Upon acceptance of this provision by a retirement system, any member who is a
4 veteran, as defined by clause forty-third of section 7 of chapter 4 of the General Laws, as
5 amended by chapter 116 of the acts of 2004 and retired under the provisions of sections 5, 10 (1)
6 and 26 (3) of this chapter before the effective date of said chapter 116, without receiving the
7 additional yearly allowance as a veteran provided therein, shall receive such additional yearly
8 allowance as a veteran under paragraph (b) of subdivision (2) of section 5 or paragraph (c) of
9 subdivision (3) of section 26 of this chapter, whichever is applicable. Acceptance of this
10 provision by a retirement system shall be by a majority vote of the board of each such system,
11 subject to the approval of the legislative body. For the purposes herein, "legislative body" shall
12 mean, in the case of a city, the city council in accordance with its charter, in the case of a town,

13 the board of selectmen, in the case of a county, the county retirement board advisory council, in
14 the case of a region, the regional retirement board advisory council, in the case of a district, the
15 district members, and, in the case of an authority, the governing body. Acceptance shall be
16 deemed to have occurred upon the filing of a certification of such votes with the commission.
17 For purposes herein, the state teachers' and state employees' retirement systems shall be deemed
18 to have accepted this provision.

19 SECTION 2. The provisions of this act shall be prospective from the date of acceptance
20 of this act and shall not entitle a member, who is entitled to benefits under section 1 of this act, to
21 any retroactive benefits.