SENATE DOCKET, NO. 2481 FILED ON: 3/9/2016

SENATE . . . . . No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 full disability payments.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael O. Moore	*Second Worcester*
Paul Tucker	*7th Essex*

SENATE DOCKET, NO. 2481 FILED ON: 3/9/2016

SENATE . . . . . No.

By Mr. Moore, a petition (accompanied by bill, Senate, No. 0000) (subject to Joint Rule 12) of Michael O. Moore and Paul Tucker for legislation relative to full disability payments. Public Service.

The Commonwealth of Massachusetts

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

An Act relative to full disability payments.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1: Section 1 of chapter 32 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the definition of "IV-D agency" the following new definition:-

"Law enforcement officer", any police officer, any auxiliary, intermittent, special, part-time or reserve police officer, any police officer in the employ of a public institution of higher education under section 5 of chapter 15A, any public prosecutor, any municipal or public emergency medical technician, Deputy Sheriff and/or Correction officer.

SECTION 2: Section 1 of chapter 32 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the definition of "Veteran" the following new definition:-

"Violent Altercation", any interaction between a law enforcement officer in the lawful performance of their duties and an individual that results in an assault with a dangerous weapon

as defined in Section 15B of chapter 265, including, but not limited to a shooting, stabbing, bombing, road rage incident, or hostage situation.

SECTION 3: Section 7 of chapter 32 of the General Laws is hereby amended by striking subsection (2)(a)(ii) and replacing it with the following new section

(ii) A yearly amount of pension equal to 72 per cent of the annual rate of his regular compensation on the date such injury was sustained or such hazard was undergone, or equal to 72 per cent of the average annual rate of his regular compensation for the 12-month period for which he last received regular compensation immediately preceding the date his retirement allowance becomes effective, whichever is greater; provided, however, that if an individual was in a temporary or acting position on the date such injury was sustained or hazard undergone, the amount to be provided under this paragraph shall be based on the annual rate of regular compensation in his permanent position on the date such injury was sustained or such hazard was undergone, or the average annual rate of his regular compensation in his permanent position for the 12-month period for which he last received regular compensation immediately preceding the date his retirement allowance becomes effective, whichever is greater; provided, however, that for any employee who was not a member in service on or before January 1, 1988 or who has not been continuously a member in service since that date, the total yearly amount of the sum of such pension and the annuity as determined in accordance with clause (i) shall not exceed 75 per cent of the annual rate of regular compensation as determined in this paragraph; and provided further, that no individual who was a member in service on January 1, 1988, whose allowance is limited by the 75 per cent limitation as established in this paragraph, shall receive an amount of pension that is less than 72 per cent of such individual's regular compensation on January 1, 1988; provided further, that any law enforcement officer, as defined in section 1, whose disability in

accordance with subsection (1) is a result of a violent altercation shall receive a yearly amount of pension equal to 100 per cent of the annual rate of his regular compensation in accordance with this section.