

HOUSE No. 3928

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry

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 veteran judges' pensions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>1/17/2019</i>

HOUSE No. 3928

By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 3928) of Paul McMurtry relative to veteran judges' pensions. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to veteran judges' pensions.

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

1 Notwithstanding sections 65A, 65B and 65D of chapter 32 of the General Laws, or any
2 other general or special law to the contrary, a retired chief justice, justice, associate justice,
3 judge, associate judge, or special justice, hereinafter referred to as a judge, who: (i) is a veteran
4 who served in the armed forces of the United States, (ii) was called into duty in the armed forces
5 of the United States while seated as a judge, and served at least 90 days in active duty in the
6 armed forces of the United States while seated as a judge, (iii) retired at the age of 70 under
7 Article LVIII of the Amendments to the Constitution with at least 10 years of continuous judicial
8 service or resigned after serving in office for at least 15 years continuously and attaining the age
9 of 65 years, and (iv) currently receives a pension related to such service as a judge, shall be
10 eligible for an increase in their pension to receive a pension for life at an annual rate equal to
11 three fourths of the current annual rate of regular compensation of a judge currently serving in
12 the same or similar position as the retired judge held at the time of their retirement, calculated as
13 of the date of the application for pension increase, beginning on the date such application was

14 approved by the retirement board pursuant to the second paragraph. A judge who retired at age
15 70 under Article LVII of the Amendments to the Constitution with less than 10 years of
16 continuous judicial service who otherwise meets the requirements of this act shall be eligible to
17 receive an increase in their pension by calculating such pension based on the current annual rate
18 of regular compensation of a judge currently serving in the same or similar position as the retired
19 judge held at the time of their retirement, calculated as of the date of the application for pension
20 increase, beginning on the date such application was approved by the retirement board pursuant
21 to the second paragraph.

22 Within 30 days after the effective date of this act, the state retirement board shall notify
23 all retired judges collecting a pension pursuant to chapter 32 of the General Laws, in writing by
24 certified mail, of the opportunity to apply for an increase in their pension pursuant to this act.
25 Said judges shall have 30 days after receipt of said notice to make application for such pension
26 increase, which shall include information, as the retirement board deems necessary, to determine
27 eligibility pursuant to this act. The retirement board shall make a determination on any
28 application submitted pursuant to this act within 30 days after receipt of such application, and
29 shall notify the applicant of such determination in writing not later than 10 days after such
30 determination is made.