

HOUSE No. 4562

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth I. Gordon and Bruce E. Tarr

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 providing certain retirement benefits for Thomas W. Devlin, a trooper of the department of state police.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|----------------------------------|------------------|
| <i>Kenneth I. Gordon</i> | <i>21st Middlesex</i> | <i>2/21/2020</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> | <i>2/21/2020</i> |
| <i>David Allen Robertson</i> | <i>19th Middlesex</i> | <i>2/21/2020</i> |
| <i>Paul F. Tucker</i> | <i>7th Essex</i> | <i>2/28/2020</i> |
| <i>John C. Velis</i> | <i>4th Hampden</i> | <i>2/28/2020</i> |

HOUSE No. 4562

By Representative Gordon of Bedford and Senator Tarr, a joint petition (subject to Joint Rule 12) of Kenneth I. Gordon, Bruce E. Tarr and others relative to certain retirement benefits for Thomas W. Devlin, a trooper of the Department of State Police. Public Service.

The Commonwealth of Massachusetts

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

An Act providing certain retirement benefits for Thomas W. Devlin, a trooper of the department of state police.

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 the provisions of any general or special law to the
2 contrary and in order to promote the public good, the state retirement board shall retire Thomas
3 W. Devlin, a Trooper of the Department of State Police who was injured in the line of duty, and
4 as a result is permanently incapacitated from performing the essential duties of a police officer.

5 (b) The annual amount of pension payable to Thomas W. Devlin shall be equal to the
6 regular rate of compensation which he would have been entitled to receive had he continued in
7 service as a Trooper at the grade held by him at the time of his retirement. Such retirement shall
8 become effective as of the date following the last day on which he received regular
9 compensation.

10 (c) Thomas W. Devlin, shall be indemnified by the state retirement board for all hospital,
11 medical and related expenses related to treatment of the injuries sustained by him while in the

12 performance of his duties on July 26, 2018, according to the provisions of section seven of
13 chapter thirty-two of the General Laws.

14 (d) If Thomas W. Devlin shall be married at the time of his retirement, then, upon his
15 death, said retirement board shall pay his surviving spouse if then living, a pension, payable in
16 monthly installments in the amount of 75 per cent of the annualized amount of the pension
17 payable to Thomas W. Devlin on the date of his death, increased by three hundred and twelve
18 dollars for each child of said Thomas W. Devlin, during such time as each such child is under
19 eighteen years of age and for each child over said age who is physically or mentally
20 incapacitated from earnings. If his surviving spouse remarries, said state retirement board shall
21 pay, in lieu of the aforesaid annuity to her, an annuity of five hundred and twenty dollars to or
22 for the benefit of each such child during the time aforesaid. Upon the death of the survivor of
23 said Thomas W. Devlin and said Nancy E. Devlin the state retirement board shall pay to each
24 surviving child of Thomas W. Devlin and Nancy E. Devlin, until such child reaches the age of
25 eighteen and for each child over said age who is physically or mentally incapacitated from
26 earnings, an annuity of equal proportions to each such child which shall total three-fourths of the
27 amounts of the pension payable to Thomas W. Devlin and Nancy E. Devlin at the time of his
28 death. The pension shall be subject to section 103 of said chapter 32.

29 (e) The additional benefits granted in this act shall be funded and administered by said
30 retirement board, consistent with and subject to said chapter 32, except that sections 8 and 91A
31 of said chapter 32 shall not apply. All amounts paid under this act shall be nontaxable to the
32 extent allowable under state and federal law.

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