

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Andres X. Vargas, (BY REQUEST)*

*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 granting a certain classification and early retirement creditable service to trial court clerical employees.

PETITION OF:

| NAME:                   | DISTRICT/ADDRESS: | DATE ADDED:      |
|-------------------------|-------------------|------------------|
| <i>Gina M. Parolisi</i> |                   | <i>10/2/2019</i> |

**HOUSE . . . . . No.**

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By Mr. Vargas of Haverhill (by request), a petition (subject to Joint Rule 12) of Gina M. Parolisi relative to the classification and early retirement creditable service for certain Trial Court clerical employees. Public Service.

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**The Commonwealth of Massachusetts**

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

An Act granting a certain classification and early retirement creditable service to trial court clerical employees.

*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. Section 3 of chapter 32 of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended, in line 269, by striking out the words “or court officer” and  
3 inserting in place thereof the following words:- , court officer or clerical employees.

4           SECTION 2. (a) Notwithstanding chapter 32 of the General Laws or any other general or  
5 special law to the contrary, the state board of retirement, established under section 18 of chapter  
6 10 of the General Laws, shall establish and implement a retirement incentive for clerical  
7 employees of the trial court department, hereinafter referred to as an employee, in accordance  
8 with this section.

9           An employee who is eligible for the retirement incentive program may request in the  
10 employee’s application for retirement that the state board of retirement credit the employee with  
11 an additional retirement benefit in accordance with this section. Each such employee shall

12 request and receive a combination of years of creditable service and years of age, in full year  
13 increments, the sum of which shall not be greater than 5 years, for the purposes of determining  
14 the employee's superannuation retirement allowance.

15 In order to be deemed eligible by the board for any of the benefit options under the  
16 retirement incentive program in this section, an employee: (i) shall be an employee of the trial  
17 court on the effective date of this act; (ii) shall be a member in active service of the state  
18 retirement system on the effective date of this act; (iii) shall be eligible to receive a  
19 superannuation retirement allowance in accordance with section 5 of said chapter 32 or  
20 subdivision (1) of section 10 of said chapter 32 upon the date of retirement requested in the  
21 employee's written application for retirement with the board; and (iv) shall have filed a written  
22 application with the board in accordance with this section. The application filed for retirement  
23 under this act may be delivered in person or by mail to the state board of retirement.

24 (b) Words used in this act shall have the same meaning as when they are used in said  
25 chapter 32 unless otherwise expressly provided or unless the context clearly requires otherwise.  
26 An employee who retires and receives an additional benefit in accordance with this act shall be  
27 deemed to be retired for superannuation under said chapter 32 and shall be subject to all of said  
28 chapter 32.

29 (c) Notwithstanding the credit, the total normal yearly amount of the retirement  
30 allowance, as determined in accordance with said section 5 of said chapter 32, of any employee  
31 who retires and receives the retirement incentive program benefit shall not exceed 80 per cent of  
32 the average annual rate of his regular compensation as determined in accordance with said  
33 section 5 of said chapter 32.

34 Pursuant to section 98 of said chapter 32, the state treasurer may make advance payments  
35 in an amount not to exceed any retirement allowance actually due to an employee who is eligible  
36 for and who has filed an application for retirement under the retirement incentive program and  
37 who does not receive a retirement allowance within 60 days after submitting a retirement  
38 application, during such period as is necessary for the processing of the application for  
39 retirement.