

# SENATE . . . . . No. 2798

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-First General Court  
(2019-2020)  
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SENATE, July 2, 2020.

The committee on Public Service to whom was referred the petition (accompanied by bill, Senate, No. 1487) of Brendan P. Crighton, Paul R. Feeney, Anne M. Gobi, Mathew J. Muratore and other members of the General Court for legislation relative to the cost of living adjustment for state and teacher retirees, reports recommending that the accompanying bill (Senate, No. 2798) ought to pass.

For the committee,  
Barry R. Finegold

**SENATE . . . . . No. 2798**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act relative to the cost of living adjustment for state and teacher retirees.

*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 102 of Chapter 32 of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by adding at the end thereof the following:- (h) Every  
3 member of the state employee retirement system and the teacher’s retirement system who  
4 qualifies and has attained fifteen full years of retirement as of June 30 of the prior fiscal year  
5 who receive a cost of living increase shall receive an additional one hundred dollar benefit to  
6 said increase. Said one hundred dollar benefit shall be granted only to members of the state  
7 retirement system and the teacher’s retirement system whose total annual retirement benefit is  
8 less than the average annual retirement benefit as determined by the retirement system’s most  
9 recent actuarial valuation and retired with twenty or more years of creditable service, provided  
10 however, those members who retired with a disability benefit under sections 6, 7 or 26 shall be  
11 eligible with less than twenty years of creditable service. Any surviving beneficiary of a  
12 deceased member who would otherwise be eligible for aforesaid additional benefit under this  
13 paragraph, including those beneficiaries receiving a benefit under sections 9, 12 or 101, shall

14 receive said additional benefit if it is determined they are eligible by the retirement board in  
15 which they are a participant.

16 Every member of the state employee retirement system and the teacher's retirement  
17 system who has attained twenty full years of retirement as of June 30 of the prior fiscal year who  
18 receive a cost of living increase shall receive an additional two hundred dollar benefit to said  
19 increase. Said two hundred dollar benefit shall be granted only to members of the state retirement  
20 system and the teacher's retirement system whose total annual retirement benefit is less than the  
21 average annual retirement benefit as determined by the retirement system's most recent actuarial  
22 valuation and retired with twenty or more years of creditable service. Any surviving beneficiary  
23 of a deceased member who would otherwise be eligible for aforesaid additional benefit under  
24 this paragraph, including those beneficiaries receiving a benefit under section 9, 12 or 101, shall  
25 receive said additional benefit if it is determined they are eligible by the retirement board in  
26 which they are a participant.

27 SECTION 2. Section 103 of Chapter 32 of the General Laws, as appearing in the 2018  
28 Official Edition, is hereby amended by adding at the end thereof the following:- (k) Upon  
29 acceptance of the provisions of this paragraph as provided in paragraph (n), every member of a  
30 retirement system other than the state employees retirement system and the teachers' retirement  
31 system, who has attained fifteen full years of retirement as of June 30 of the prior fiscal year and  
32 receives a cost of living increase pursuant to this section, shall receive an additional one hundred  
33 dollar benefit to said increase. Said one hundred dollar benefit shall be granted only to members  
34 of a retirement system, other than the state employees retirement system and the teachers'  
35 retirement system, whose total annual retirement benefit is less than the average annual  
36 retirement benefit as determined by their retirement system's most recent actuarial valuation and

37 retired with twenty or more years of creditable service, provided however, those members who  
38 retired with a disability benefit under sections 6, 7 or 26 shall be eligible with less than twenty  
39 years of creditable service. Any surviving beneficiary of a deceased member who would  
40 otherwise be eligible for aforesaid additional benefit under this paragraph, including those  
41 beneficiaries receiving a benefit under sections 9, 12 or 101, shall receive said additional benefit  
42 if it is determined they are eligible by the retirement board in which they are a participant.

43 (l) Upon acceptance of the provisions of this paragraph as provided in paragraph (n),  
44 every member of a retirement system other than the state employees retirement system and the  
45 teachers' retirement system, who has attained twenty full years of retirement as of June 30 of the  
46 prior fiscal year and receives a cost of living increase pursuant to this section, shall receive an  
47 additional two hundred dollar benefit to said increase. Said two hundred dollar benefit shall be  
48 granted only to members of a retirement system other than the state employees retirement system  
49 and the teachers' retirement system whose total annual retirement benefit is less than the average  
50 annual retirement benefit as determined by their retirement system's most recent actuarial  
51 valuation and retired with twenty or more years of creditable service, provided however, those  
52 members who retired with a disability benefit under sections 6, 7 or 26 shall be eligible with less  
53 than twenty years of creditable service. Any surviving beneficiary of a deceased member who  
54 would otherwise be eligible for aforesaid additional benefit under this paragraph, including those  
55 beneficiaries receiving a benefit under sections 9, 12 or 101, shall receive said additional benefit  
56 if it is determined they are eligible by the retirement board in which they participate.

57 (m) Upon acceptance of the provisions of this paragraph as provided in paragraph (n),  
58 every member of a retirement system other than the state employees retirement system and the  
59 teachers' retirement system, who has attained fifteen but not more than twenty full years of

60 retirement as of June 30 of the prior fiscal year and receives a cost of living increase pursuant to  
61 this section, shall receive an additional one hundred dollar benefit and for those who has attained  
62 more than twenty years of retirement as of June 30 of the prior fiscal year, shall receive an  
63 additional two hundred dollar benefit to said increase. Such additional benefits shall be granted  
64 only to members of a retirement system, other than the state employees retirement system and  
65 the teachers' retirement system, whose total annual retirement benefit is less than the average  
66 annual retirement benefit as determined by their retirement system's most recent actuarial  
67 valuation and retired with twenty or more years of creditable service, provided however, those  
68 members who retired with a disability benefit under sections 6, 7 or 26 shall be eligible with less  
69 than twenty years of creditable service. Any surviving beneficiary of a deceased member who  
70 would otherwise be eligible for aforesaid additional benefit under this paragraph, including those  
71 beneficiaries receiving a benefit under sections 9, 12 or 101, shall receive said additional benefit  
72 if it is determined they are eligible by the retirement board in which they are a participant.

73 (n) Acceptance of the provisions of this paragraphs (k). (l) or (m) shall be by a majority  
74 vote of the board of such system, subject to the approval of the legislative body. For the purpose  
75 of this section, "legislative body" shall mean, in the case of a city, the city council in accordance  
76 with its charter, in the case of a town, the town meeting, in the case of a district, the district  
77 members, and, in the case of an authority, the governing body. In the case of a county or region,  
78 acceptance shall be by the county or regional retirement board advisory council at a meeting  
79 called for that purpose by the county or regional retirement board, Acceptance of this paragraph  
80 shall be deemed to have occurred upon the filing of the certification of such vote with the  
81 commission. A decision to accept the provisions of this paragraph may not be revoked.