

SENATE No. 2798

The Commonwealth of Massachusetts

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

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

The Commonwealth of Massachusetts

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

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.