

SENATE No. 2179

The Commonwealth of Massachusetts

PRESENTED BY:

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 relative to retirement benefits for veterans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>1/16/2019</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/28/2019</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>1/31/2019</i>
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	<i>1/31/2019</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/1/2019</i>

SENATE No. 2179

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2179) of Bruce E. Tarr, Kenneth I. Gordon, David F. DeCoste, Todd M. Smola and other members of the General Court for legislation relative to retirement benefits for certain veterans. Veterans and Federal Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2045 OF 2017-2018.]

The Commonwealth of Massachusetts

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

An Act relative to retirement benefits for veterans.

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. Notwithstanding the provisions of chapter 32 of the General Laws or any
2 other general or special law, rule or regulation to the contrary, a member retired prior to July 24,
3 1996, in a retirement system as defined in section one who is a veteran , as defined Chapter 4
4 section 7, who served in the armed forces of the United States shall be entitled to credit for active
5 service in the armed services of the United States; provided that such creditable service shall not
6 be construed to include service for more than four years; and, provided further, that such
7 creditable service shall not be allowed for any period of active service for which said veteran has
8 received credit pursuant to paragraph (h) of subsection (1) of section 4 of chapter thirty-two of
9 the General Laws and provided further, that the amount does not exceed the eighty percent
10 allowed to retire, and provided further, that no such member has accepted an offer of early

11 retirement pursuant to the provisions of Section 83 of Chapter 71 of the Acts of 1993. This act
12 shall also apply to National Guard and Active Reserve personnel, who are veterans, both former
13 and present. Creditable service time, both enlisted and commissioned, may be applied toward
14 retirement on a ratio of five years guard service or five years active reserve service substitutable
15 for each year of active service.

16 SECTION 2. For the retirement system of any political subdivision, the provisions of this
17 act shall take effect on the effective date of this act by majority vote of the board of such system
18 and by the local legislative body. For the purposes of this paragraph local legislative body shall
19 mean a town meeting for a town system, the city council subject to the provisions of its charter
20 for a city system, the county commissioners for a county system, the district members for a
21 district system and the governing body of an authority for an authority system. Acceptance shall
22 be deemed to have occurred upon the filing of a certification of such vote with the commissioner.
23 Members retired prior to July 24, 1996 of a retirement system eligible for said creditable service
24 under this act shall become eligible for said creditable service the month following the
25 acceptance of this act by the local legislative body. Terms used in this act shall have the same
26 meaning as those terms defined in section one of chapter thirty-two of the General Laws. For
27 purposes of this section, the state teachers' and state employees' retirement systems shall be
28 deemed to have accepted the provisions of this act.

29 SECTION 3. Section 6 of Chapter 116 of the acts of 2002 is hereby amended by striking
30 out the last sentence.