

HOUSE No. 4374

The Commonwealth of Massachusetts

PRESENTED BY:

Adrian C. Madaro

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 regarding the disability pension for Scott O'Brien.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>1/13/2022</i>

HOUSE No. 4374

By Mr. Madaro of Boston, a petition (accompanied by bill, House, No. 4374) of Adrian C. Madaro (with the approval of the mayor and city council) that the Boston Retirement Board be authorized to increase the accidental disability retirement allowance payable to Scott O'Brien, a retired police officer of the city of Boston. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act regarding the disability pension for Scott O'Brien.

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 provision of any general or special law or rule or
2 regulation to the contrary, and in order to promote the public good, the State-Boston Retirement
3 Board is hereby authorized and directed to increase the accidental disability retirement allowance
4 payable to Scott O'Brien, a retired officer of the City of Boston who, as a result of injuries
5 sustained while in the performance of his duties on January 16, 2004, is totally and permanently
6 disabled from further service as a police officer.

7 SECTION 2. The total annual amount of pension payable to Scott O'Brien shall be equal
8 to the regular rate of compensation which would have been paid had he continued in service as a
9 police officer of the City of Boston at the grade held by him at the time of his retirement. The
10 additional benefits granted in this act shall be funded and administered by the Boston Retirement
11 Board, consistent with and subject to chapter 32 of the General Laws, except section 8 and 91A
12 of said chapter 32 shall not apply. All amounts paid under this act shall be nontaxable.

13 (a) Such increase in retirement shall become effective commencing on the date for which
14 he received an accidental disability retirement from the State-Boston Retirement Board.

15 (b) Upon enactment, the State-Boston Retirement Board shall forthwith pay to said Scott
16 O'Brien the amount credited to him as accumulated total deductions in the annuity savings fund
17 of the State-Boston Retirement Board. Said Scott O'Brien shall be entitled to receive
18 indemnification for all hospital, medical and related expenses that have been or may be incurred
19 after the date of his retirement as a result of said injuries, pursuant to the provisions of Chapter
20 41 of the General Laws.

21 SECTION 3. Upon the Death of Scott O'Brien, should his wife survive him, the State-
22 Boston Retirement Board shall pay to her, so long as she remains unmarried, an annuity in the
23 amount of three-fourths of the amount of the pension payable to him, per month, at the time of
24 his death. If said wife remarries, the City shall pay, in lieu of the aforesaid annuity to her, an
25 annuity of \$550.00 dollars per month to her. In the event that both Scott O'Brien and his wife die
26 before their children reach the age of eighteen (18) or twenty-two (22), as provided herein, the
27 payments that would otherwise be made to Scott O'Brien pursuant to Section 2 shall be payable,
28 in equal shares, to each child under the age of eighteen (18); provided, however, that payments
29 shall continue to the age of twenty-two (22) for any child who is enrolled as a full-time student.

30 SECTION 4. This act shall take effect upon passage.