FILED ON: 2/15/2022

HOUSE . . . . . No. 4456

Section 14 contained in the engrossed Bill making appropriations for the fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4345, amended), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment C of House, No. 4458). February 12, 2022.

The Commonwealth of Massachusetts

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

An Act relative to certain retired employees during the outbreak of the 2019 novel coronavirus.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for the employment of certain retired employees during the outbreak of the 2019 novel coronavirus, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

(a) Notwithstanding any general or special law to the contrary, subsections (b) and (c) of section 91 of chapter 32 of the General Laws shall not apply in calendar year 2022 to the following 2 categories of persons for hours worked and earnings received during the outbreak of the 2019 novel coronavirus, also known as COVID-19, and subsequent variants:

(i) any person who has been retired and who is receiving a pension or retirement allowance, pursuant to said chapter 32 or any other general or special law, from the commonwealth or a county, city, town, district or authority; or

(ii) any person whose employment in the service of the commonwealth or a county, city, town, district or authority has been terminated, pursuant to said chapter 32 or any other general or special law, by reason of having attained an age specified in a general or special law or by the rules and regulations of any department or agency of the commonwealth or a county, city, town, district or authority without being entitled to any pension or retirement allowance.

These 2 categories of persons may, during calendar year 2022 and subject to all other laws, rules and regulations governing the employment of persons in the commonwealth or a county, city, town, district or authority, be employed in the service of the commonwealth or a county, city, town, district or authority, including as a consultant or independent contractor or as a person whose regular duties require that such person's time be devoted to the service of the commonwealth, county, city, town, district or authority during regular business hours.

(b) This section shall not apply to individuals who retired under a general or special law on disability.