

HOUSE No. 5124

Section 134 contained in the engrossed Bill making appropriations for the fiscal year 2023 (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment S of House, No. 5132). July 28, 2022.

The Commonwealth of Massachusetts

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

An Act relative to cost-of-living adjustments for retirees.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for increased cost-of-living adjustments for retirees, 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:

1 SECTION 1. Notwithstanding section 103 of chapter 32 of the General Laws or any
2 other general or special law to the contrary, the retirement board of any system that has accepted
3 said section 103 may elect to establish a cost-of-living adjustment increase not less than 3 per
4 cent and not greater than 5 per cent for fiscal year 2023.

5 The sum of the dollar amount of the cost-of-living increase, together with the amount of
6 retirement allowance, pension or annuity to which the cost-of-living increase is applied, shall
7 become the fixed retirement allowance, pension or annuity for all future purposes, including the
8 application of subsequent cost-of-living adjustments in future years.

9 The retirement board shall conduct an election in a public meeting, properly posted and
10 called specifically for such election. The board shall notify the relevant legislative body not later
11 than 30 days before such election. A retirement board may grant a cost-of-living increase of not
12 less than 3 percent and not greater than 5 per cent for fiscal year 2023 at any time during the
13 fiscal year.

14 SECTION 2. This act shall take effect on July 1, 2022.