HOUSE DOCKET, NO. 1010 FILED ON: 1/29/2021

HOUSE . . . . . No. 2594

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

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 the Massachusetts Teachers' Retirement System.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Tackey Chan	*2nd Norfolk*	*1/29/2021*
Adam J. Scanlon	*14th Bristol*	*2/23/2021*
Peter Capano	*11th Essex*	*2/23/2021*
Brian W. Murray	*10th Worcester*	*2/23/2021*
Lindsay N. Sabadosa	*1st Hampshire*	*2/23/2021*
Jack Patrick Lewis	*7th Middlesex*	*2/23/2021*
Carmine Lawrence Gentile	*13th Middlesex*	*2/25/2021*
Jacob R. Oliveira	*7th Hampden*	*2/25/2021*
Vanna Howard	*17th Middlesex*	*2/26/2021*
James K. Hawkins	*2nd Bristol*	*2/26/2021*
Natalie M. Higgins	*4th Worcester*	*2/26/2021*
David Henry Argosky LeBoeuf	*17th Worcester*	*2/26/2021*
Erika Uyterhoeven	*27th Middlesex*	*2/26/2021*
Joseph W. McGonagle, Jr.	*28th Middlesex*	*2/26/2021*
Paul W. Mark	*2nd Berkshire*	*3/3/2021*
Tram T. Nguyen	*18th Essex*	*3/3/2021*
James J. O'Day	*14th Worcester*	*3/3/2021*
Angelo J. Puppolo, Jr.	*12th Hampden*	*3/4/2021*

Danillo A. Sena	*37th Middlesex*	*3/9/2021*
Patrick M. O'Connor	*Plymouth and Norfolk*	*4/2/2021*
Walter F. Timilty	*Norfolk, Bristol and Plymouth*	*4/2/2021*
Maria Duaime Robinson	*6th Middlesex*	*4/2/2021*
Mary S. Keefe	*15th Worcester*	*4/5/2021*
Marc R. Pacheco	*First Plymouth and Bristol*	*5/12/2021*
Diana DiZoglio	*First Essex*	*7/19/2021*

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HOUSE . . . . . No. 2594

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 2594) of Tackey Chan and others relative to the Massachusetts Teachers' Retirement System. Public Service.

The Commonwealth of Massachusetts

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

An Act relative to the Massachusetts Teachers' Retirement System.

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

SECTION 1. Paragraph (i) of subdivision (4) of section 5 of chapter 32 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out the fourth through eighth sentences, inclusive, and inserting in place thereof the following 2 sentences:-

A member of a contributory retirement system who transfers as a teacher into either the teachers' retirement system or the Boston retirement system and begins contributing to the teachers’ retirement system or the Boston retirement system shall be a mandatory participant in the alternative superannuation retirement benefit program. A member who participates in the alternative superannuation retirement benefit program shall contribute not less than 5 years of retirement contributions at the rate of 11 per cent of regular compensation pursuant to section 22.

SECTION 2. Said paragraph (i) of said subdivision (4) of said section 5 of said chapter 32 is hereby further amended by striking out the last sentence, as so appearing.

SECTION 3. (a) Notwithstanding paragraph (i) of subdivision (4) of section 5 of chapter 32 of the General Laws, an active or inactive member of the teachers' retirement system or of the Boston retirement system who: (i) is a teacher; (ii) transferred from another contributory retirement system pursuant to paragraph (a) of subdivision (8) of section 3 of said chapter 32 to either the teachers' retirement system or the Boston retirement system; (iii) became eligible for membership in either the teachers' retirement system or the Boston retirement system on or after July 1, 2001 and not later than June 30, 2021, inclusive; (iv) began contributing to either the teachers' retirement system or the Boston retirement system on or after July 1, 2001 and not later than June 30, 2021; and (v) did not provide a written election to participate in the alternative superannuation retirement benefit program to such retirement system on or before December 31, 2021 shall have a new, 1 time opportunity to elect to participate in the alternative superannuation retirement benefit program.

(b) A qualifying member shall make the election provided under subsection (a) on or after January 1, 2022 but not later than June 30, 2022; provided, however, that a member entitled to make an election under this section who applies for retirement prior to the foregoing election period shall be given a 1 time opportunity to participate in the alternative superannuation retirement benefit program prior to retirement; provided further, that if the teachers' retirement system or the Boston retirement system receives the transfer of the member's account on or after July 1, 2021, the member shall have 180 days from the date that the teachers' retirement system or the Boston retirement system receives the transfer of the member's account from the prior retirement system to elect out of the alternative superannuation retirement benefit program.

(c) A member who participates in the alternative superannuation retirement benefit program under this section shall make contributions at the rate of 11 per cent pursuant to section

22 of chapter 32 of the General Laws and may be required to provide make-up contributions at the rate of 11 per cent, upon such terms and conditions as the relevant retirement system may require, from the date that such member established membership in the teachers' retirement system or the Boston retirement system.

(d) An election made pursuant to this section shall be irrevocable. If the member has the opportunity to elect to participate in the alternative superannuation retirement benefit program and does not elect to participate within the prescribed period, the member shall be considered to have affirmatively elected not to participate in the alternative superannuation retirement benefit program. If the member has the opportunity to elect not to participate in the alternative superannuation retirement benefit program and does not elect not to participate within the prescribed period, the member shall be deemed to have affirmatively elected to participate in the alternative superannuation retirement benefit program. A member who participates in the alternative superannuation retirement benefit program after having had the opportunity to elect to participate or not to participate in the alternative superannuation retirement benefit program and who pays additional contributions, but does not complete the creditable service or teaching service requirements of this subdivision, shall, upon termination from membership in or retirement from the system, be reimbursed for any additional contributions, plus regular interest, as determined by the teachers' retirement board or the Boston retirement board.

SECTION 4. Notwithstanding any general or special law to the contrary, the fourth and fifth sentences of paragraph (i) of subdivision (4) of section 5 of the General Laws, as appearing in section 1, shall apply to a member of a contributory retirement system who transfers as a teacher into either the teachers' retirement system or the Boston retirement system and begins

contributing to the teachers' retirement system or the Boston retirement system on or after July 1, 2021; provided, however, that if the prior membership transferred includes service rendered prior to July 1, 2021, the member shall have 180 days from the date that the teachers' retirement system or the Boston retirement system receives the transfer of the member's account from the prior contributory retirement system to elect out of the alternative superannuation retirement benefit program.

SECTION 5. This act shall take effect upon its passage.