

SENATE No. 1751

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 granting a certain classification and early retirement creditable service to trial court chief probation officers.

PETITION OF:

NAME:

Michael O. Moore

DISTRICT/ADDRESS:

Second Worcester

SENATE No. 1751

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1751) of Michael O. Moore for legislation to grant a certain classification and early retirement creditable service to trial court chief probation officers. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE [Refile Branch], NO. OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act granting a certain classification and early retirement creditable service to trial court chief probation officers.

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. (a) Notwithstanding chapter 32 of the General Laws or any other general or
2 special law to the contrary, the state board of retirement, established under section 18 of chapter
3 10 of the General Laws, shall establish and implement a retirement incentive for chief probation
4 officer employees of the trial court department, hereinafter referred to as an employee, in
5 accordance with this section.

6 (b) An employee who is eligible for the retirement incentive program may request in the
7 employee's application for retirement that the state board of retirement credit the employee with
8 an additional retirement benefit in accordance with this section. Each such employee shall
9 request and receive a combination of years of creditable service and years of age, in full year

increments, the sum of which shall not be greater than 5 years, for the purposes of determining the employee's superannuation retirement allowance.

(c) In order to be deemed eligible by the board for any of the benefit options under the retirement incentive program in this section, an employee: (i) shall be an employee of the trial court on the effective date of this act; (ii) shall be a member in active service of the state retirement system on the effective date of this act; (iii) shall be eligible to receive a superannuation retirement allowance in accordance with section 5 of said chapter 32 or subdivision (1) of section 10 of said chapter 32 upon the date of retirement requested in the employee's written application for retirement with the board; and (iv) shall have filed a written application with the board in accordance with this section. The application filed for retirement under this act may be delivered in person or by mail to the state board of retirement.

(d) Words used in this act shall have the same meaning as when they are used in said chapter 32 unless otherwise expressly provided or unless the context clearly requires otherwise. An employee who retires and receives an additional benefit in accordance with this act shall be deemed to be retired for superannuation under said chapter 32 and shall be subject to all of said chapter 32.

(e) Notwithstanding the credit, the total normal yearly amount of the retirement allowance, as determined in accordance with said section 5 of said chapter 32, of any employee who retires and receives the retirement incentive program benefit shall not exceed 80 per cent of the average annual rate of his regular compensation as determined in accordance with said section 5 of said chapter 32.

(f) Pursuant to section 98 of said chapter 32, the state treasurer may make advance payments in an amount not to exceed any retirement allowance actually due to an employee who is eligible for and who has filed an application for retirement under the retirement incentive program and who does not receive a retirement allowance within 60 days after submitting a retirement application, during such period as is necessary for the processing of the application for retirement.

SECTION 2. This act shall take effect upon its passage.