HOUSE DOCKET, NO. 3357 FILED ON: 1/20/2023

HOUSE . . . . . No. 2543

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia A. Haddad

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 disability retirees and restoration to service.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Patricia A. Haddad	*5th Bristol*	*1/20/2023*
Alan Silvia	*7th Bristol*	*1/20/2023*
Steven S. Howitt	*4th Bristol*	*2/10/2023*
James K. Hawkins	*2nd Bristol*	*2/10/2023*
Paul A. Schmid III	*8th Bristol*	*2/13/2023*

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By Representative Haddad of Somerset, a petition (accompanied by bill, House, No. 2543) of Patricia A. Haddad and others relative to disability retirees and restoration to public service. Public Service.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to disability retirees and restoration to service.

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 (a) of Subdivision (1) of Section 8 of Chapter 32 is hereby amended by striking in line 6 and line 9 the phrase " the same department" and inserting in place thereof : "a retirement system".

Said section is further amended by adding after the word "job" in line 25: "or similar position".

Said section is further amended by striking in line 63 the phrase "the same department" and inserting in place thereof: "a retirement system"

Said section is further amended by inserting the following new paragraph after the first paragraph:

"During the regular periodic review process done pursuant to this section a member may request that, in addition to being evaluated for a return to his former position, he be evaluated for

a specific identified position other than the position from which he retired. Said evaluation will be conducted in the same manner as all other examinations provided for in this section. If the member is found able to perform the essential duties of the identified position he shall be permitted to return to active service in said position and his pension provided for in section six or seven shall cease upon his return to service."

SECTION 2: Paragraph (b) of Subdivision (2) of Section 8 of Chapter 32 is hereby amended by adding the following sentences:

"If the member returns to service, within a different retirement system than that from which they retired, the original system will provide creditable service for any period of disability prior to reinstatement to service in the new system; provided that if the member is subsequently retired for a disability as a result of the injury for which such member was previously retired, the original retirement system will be assessed a portion of the disability pension pursuant to the provisions of subdivision (5) of section seven."