

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Ryan C. Fattman

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 regarding the disability pension for Michael Palmer.

PETITION OF:

NAME:

Ryan C. Fattman

DISTRICT/ADDRESS:

Worcester and Hampden

SENATE No.

By Mr. Fattman, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman for legislation regarding the disability pension for Michael Palmer. Public Service.

The Commonwealth of Massachusetts

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

An Act regarding the disability pension for Michael Palmer.

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 any general or special law to the contrary, the
2 Massachusetts state retirement board shall increase the accidental disability retirement allowance
3 payable to Michael Palmer, a retired officer of the Massachusetts state police who, as a result of
4 injuries sustained while in the performance of his duties on December 31, 2020, is totally and
5 permanently incapacitated from performing the essential duties of a police officer.

6 (b) The annual amount of pension payable to Michael Palmer shall be equal to the
7 regular rate of compensation which would have been paid had he continued in service as a police
8 officer of the Massachusetts state police at the grade held by him at the time of his retirement
9 until his death or reaching mandatory retirement age, whichever comes first. All amounts paid
10 under this act shall be non-taxable to the extent allowable under state and federal law.

11 (c) Notwithstanding section 91A of chapter 32 of the General Laws or any other
12 general or special law to the contrary, Michael Palmer’s annual earnings, when added to his

13 retirement allowance, may annually earn up to 1/2 the amount of his retirement allowance
14 without refund penalty.

15 (d) Upon attaining the mandatory retirement age for a police officer of the
16 Massachusetts state police, Michael Palmer shall receive a pension pursuant to section 7 of said
17 chapter 32, a yearly amount of pension equal to 80 per cent of the annual rate of the
18 compensation he was receiving on the day before he reaches the mandatory retirement age for a
19 police officer in the Massachusetts state police.

20 (e) Notwithstanding any general or special law to the contrary, the benefits granted
21 herein shall be funded and administered by the Massachusetts state retirement board, consistent
22 with and subject to chapter 32 of the General Laws.

23 SECTION 2. Notwithstanding any general or special law to the contrary, Michael Palmer
24 shall be entitled to receive indemnification for all hospital, medical and related expenses that
25 have been or may be incurred after the date of his retirement as a result of the injuries sustained
26 by him while in the performance of his duties on December 31, 2020, in accordance with
27 sections 100 and 100B of chapter 41 of the General Laws.

28 SECTION 3. Notwithstanding any general or special law to the contrary, the
29 Massachusetts state retirement board shall forthwith pay to said Michael Palmer the amount
30 credited to him as accumulated total deductions in the annuity savings fund of the Massachusetts
31 state retirement board as of the effective date of this act.

32 SECTION 4. Notwithstanding any general or special law to the contrary, if Michael
33 Palmer was married upon retirement then, upon his death, if he is still married to the spouse he
34 was married to upon retirement then, should his spouse to whom he was married on the date

35 upon retirement survive him, the Massachusetts state retirement board shall pay to the spouse an
36 annuity in the amount of 75 per cent of the amount of the pension which otherwise would have
37 been payable to Michael Palmer until the spouse's death. The pension benefits provided for in
38 this section and section 1 shall be subject to section 103 of chapter 32 of the General Laws.

39 SECTION 5. In the event that both Michael Palmer and his spouse to whom he was
40 married on the date upon retirement die before their children reach the age of 18 the payments
41 that would otherwise have been made to Michael Palmer's spouse shall be payable, per stirpes,
42 to each surviving children under the age of 18; provided, however, that payments shall continue
43 for the benefit of a surviving child 18 years or older who, on or before the date of death of
44 Michael Palmer or his spouse to whom he was married on the date upon retirement, whichever is
45 later, had been medically determined to be permanently physically or mentally incapacitated
46 from earning or for the benefit of a child under the age of 22 who is enrolled as a full-time
47 student as determined by the criteria of the educational institution.

48 SECTION 6. This act shall take effect as of December 1, 2024.