

# HOUSE . . . . . No. 3978

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Alyson M. Sullivan-Almeida and Michael D. Brady*

*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 Lieutenant Deputy Sheriff Brian McPherson disability pension.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alyson M. Sullivan-Almeida</i>	<i>7th Plymouth</i>	<i>2/20/2025</i>

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By Representative Sullivan-Almeida of Abington and Senator Brady, a joint petition (accompanied by bill, House, No. 3978) of Alyson M. Sullivan-Almeida (with the approval of the mayor and city council) that the Boston Retirement Board be authorized to retire Brian C. McPherson, an employee of the Suffolk County Sheriff's Department. Public Service. [Local Approval Received.]

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Fourth General Court  
(2025-2026)  
\_\_\_\_\_

An Act Lieutenant Deputy Sheriff Brian McPherson disability pension.

*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 Boston  
2   retirement board shall increase the accidental disability retirement allowance payable to Brian  
3   McPherson, a retired lieutenant deputy sheriff of the Suffolk county sheriff's department who, as  
4   a result of injuries sustained while in the performance of his duties on May 13, 2008, is totally  
5   and permanently incapacitated from performing the essential duties of a lieutenant deputy  
6   sheriff.

7           (b) The annual amount of pension payable to Brian McPherson shall be equal to the  
8   regular rate of compensation which would have been paid had he continued in service as a  
9   lieutenant deputy sheriff of the Suffolk county sheriff's department at the grade held by him at  
10   the time of his retirement until his death or reaching mandatory retirement age, whichever comes

11 first. All amounts paid under this act shall be non-taxable to the extent allowable under state and  
12 federal law.

13 (c) Notwithstanding sections 8 and 91A of chapter 32 of the General Laws or any other  
14 general or special law to the contrary, Brian McPherson's annual earnings, when added to his  
15 retirement allowance, may annually earn up to one-half the amount of his retirement allowance  
16 without refund penalty.

17 (d) Upon attaining the mandatory retirement age for a lieutenant deputy sheriff of the  
18 Suffolk county sheriff's department, Brian McPherson shall receive a pension pursuant to section  
19 7 of said chapter 32, a yearly amount of pension equal to 80 percent of the annual rate of the  
20 compensation he was receiving on the day before he reaches the mandatory retirement age for a  
21 lieutenant deputy sheriff of the Suffolk county sheriff's department.

22 (e) Notwithstanding any general or special law to the contrary, the benefits granted herein  
23 shall be funded and administered by the Boston retirement board, consistent with and subject to  
24 said chapter 32.

25 SECTION 2. Notwithstanding any general or special law to the contrary, Brian  
26 McPherson shall be entitled to receive indemnification for all hospital, medical and related  
27 expenses that have been or may be incurred after the date of his retirement as a result of the  
28 injuries sustained by him while in the performance of his duties on May 13, 2008, in accordance  
29 with sections 100 and 100B of chapter 41 of the General Laws.

30 SECTION 3. Notwithstanding any general or special law to the contrary, the Boston  
31 retirement board shall forthwith pay to Brian McPherson the amount credited to him as

32 accumulated total deductions in the annuity savings fund of the Boston retirement board as of the  
33 effective date of this act.

34         SECTION 4. Notwithstanding any general or special law to the contrary, if Brian  
35 McPherson was married upon retirement, upon his death, if he is still married to the spouse he  
36 was married to upon retirement then, should his spouse to whom he was married on the date  
37 upon retirement survive him, the Boston retirement board shall pay to the spouse an annuity in  
38 the amount of 75 percent of the amount of the pension which otherwise would have been payable  
39 to Brian McPherson until the spouse's death. The pension benefits provided for in this section  
40 and section 1 shall be subject to section 103 of chapter 32 of the General Laws.

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

50         SECTION 6. This act shall take effect upon its passage.