

HOUSE No. 42

The Commonwealth of Massachusetts

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

An Act relative to the Massachusetts State Employees 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:

1 SECTION 1. Section 3 of chapter 32 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out, in line 275, the words “and employees of the
3 commonwealth or of any county whose regular and major duties require them to have the care,
4 custody, instruction or other supervision of parolees or persons who are mentally ill or mentally
5 defective or defective delinquents or wayward children and employees of Cushing hospital” and
6 inserting in place thereof the following words:- and employees or former employees of the
7 commonwealth or of any county who are active members of a retirement system, and members
8 of the state employees retirement system whose regular and the recurring majority of their duties
9 require them to have care, custody, instruction or other supervision, or require them to provide
10 services to parolees, persons who are mentally ill, or persons with physical, functional,
11 intellectual, or developmental disabilities, or delinquent youth, and employees of Cushing
12 hospital

13 SECTION 2. Section 5 of chapter 32 of the General Laws, as appearing in the 2022
14 Official Edition, is hereby amended by inserting, in line 126, after the words “rendered in each

15 group;” the following:- provided, however, that classification of the eligible prior service
16 rendered by the member in each group shall be made by the retirement board from which the
17 member is retiring;

18 SECTION 3. Said section 5 of said chapter 32, as so appearing, is hereby further
19 amended by inserting, in line 130, after the words “rendered in each group” the following:-
20 provided, however, that classification of the eligible prior service rendered by the member in
21 each group shall be made by the retirement board from which the member is retiring

22 SECTION 4. Subsection (2) of said section 5 of said chapter 32, as so appearing, is
23 hereby further amended in subparagraph (a) by striking out the fourth sentence and inserting in
24 place thereof the following sentence:- A member who entered service on or before April, 2, 2012
25 and seeks Group 2 or Group 4 classification and is no longer a public employee at the time of the
26 member's retirement shall be classified based on the position from which the member was last
27 employed; provided that said member who entered service on or before April 2, 2102 and who is
28 no longer a public employee at the time of the member’s retirement and who has served in more
29 than 1 group may elect to receive a retirement allowance consisting of pro-rated benefits based
30 upon the percentage of total years of service that the member rendered in each group.

31 SECTION 5. Subdivision 6 of section 22 of chapter 32 of the General Laws, as appearing
32 in the 2022 Official Edition, is hereby amended in paragraph (b) by inserting after the final
33 sentence the following two sentences:- For each calendar year beginning subsequent to
34 December thirty-first, two thousand and twenty-three, "regular interest" shall mean interest
35 credited at a rate established by the commission, equal to the increase of the most recent
36 Consumer Price Index for New England issued by the United States Bureau of Labor Statistics.

37 The rate established by the commission shall be taken to the nearest tenth of one per cent;
38 provided that the rate established by the commission shall not exceed two per cent.

39 SECTION 6. Subsection (4) of said section 26 of said chapter 32 of the General Laws, as
40 so appearing, is hereby amended in subparagraph (c) by inserting after the last paragraph the
41 following paragraphs:-

42 Any member in service who has attained the age of 55, who has accrued not less than
43 twenty years of creditable service in the department of state police, and who has served in more
44 than 1 group may elect to receive a retirement allowance consisting of pro-rated benefits as
45 determined by the state retirement board based upon the percentage of total years of service that
46 the member rendered in each group; provided, that such retirement allowance shall in no case
47 exceed 75 per cent of such regular compensation.

48 Any member in service as of April 2, 2012 who has not attained the age of 55, who has
49 accrued less than twenty years of creditable service in the department of state police, and who
50 has served in more than 1 group may elect to receive a retirement allowance consisting of pro-
51 rated benefits as determined by the state retirement board based upon the percentage of total
52 years of service that the member rendered in each group; provided, that such retirement
53 allowance shall be calculated in accordance with the provisions of section 5 or 10 of Chapter 32;
54 provided further that any such service with the department of state police for purposes of this
55 paragraph shall be considered as Group 4. The retirement allowance provided in this paragraph
56 shall consist of pro-rated benefits based upon the percentage of total years of service that the
57 member rendered in each group; provided further, that the retirement allowance set forth in this
58 paragraph for members who became members on or after April 2, 2012, and who served in more

59 than one group, shall consist of pro-rated benefits based upon the percentage of total years of
60 service that member rendered in each group.

61 SECTION 7. Section 8 of chapter 32A of the General Laws, as appearing in the 2022
62 Official Edition, is hereby amended by inserting after the fourth paragraph the following
63 sentence:- All amounts withheld under the provisions of section 19 and section 19A of chapter
64 32 forwarded by the state retirement board to the commission as provided by this section from
65 pensions or retirement allowances issued in the month of the death of any retiree, survivor or
66 beneficiary shall be returned to the state retirement board by the commission.