

**HOUSE . . . . . No. 5359**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Mark J. Cusack***

*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 to provide equitable access to military creditable service for judges.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>3/26/2026</i>

**HOUSE . . . . . No. 5359**

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By Representative Cusack of Braintree, a petition (subject to Joint Rule 12) of Mark J. Cusack relative to military creditable service for judges. Public Service.

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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 to provide equitable access to military creditable service for judges.

*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 4(1)(h) of chapter 32 of General Laws, as appearing in the 2024  
2 Official Edition, is hereby amended by striking out the fourth paragraph in lines 145-172 and  
3 inserting in place thereof the following paragraph:-

4           Notwithstanding the provisions of this chapter or any other general or special law, rule or  
5 regulation to the contrary, a member in service of a retirement system as defined in section 1, or  
6 any judge or justice eligible for retirement benefits pursuant to M.G.L c. 32 sects. 65A-65J, shall  
7 be provided written notice by the retirement board upon entry into service that if they qualify as  
8 a veteran who served in the armed forces of the United States , they shall be entitled to credit for  
9 active service in the armed services of the United States; provided, however, that such active  
10 service shall not be credited until such member , prior to or within 1 year of vesting pursuant to  
11 this chapter, has paid into the annuity savings fund of such system, in 1 sum or in installments,  
12 upon such terms and conditions as the board may prescribe, makeup payments, for each year of  
13 creditable service sought, of an amount equal to 10 per cent of the regular annual compensation

14 of the member when said member entered the retirement system; and, provided further , that  
15 such creditable service shall not be construed to include service for more than 4 years ; and  
16 provided further, that such creditable service shall not be allowed for any period of active service  
17 for which said veteran has received credit pursuant to this paragraph . This paragraph shall apply  
18 to national guard and active reserve personnel, both former and present. Creditable service time,  
19 both enlisted and commissioned, may be applied toward retirement on a ratio of five 5 years of  
20 national guard service or 5 years of active reserve service substitutable for each year of active  
21 service. National guard and active reserve personnel shall not be precluded from making said  
22 purchase if they qualify as a veteran after vesting or if they reach the maximum of 4 years of  
23 eligible service purchase after vesting and qualifying as a veteran; provided, however, that they  
24 enter into a purchase agreement within 5 years of the last occurring event.