

SENATE No. 2468

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 amending death and disability compensation for members of the armed forces and the organized militia of the Commonwealth.

PETITION OF:

NAME:

Ryan C. Fattman

DISTRICT/ADDRESS:

Worcester and Hampden

SENATE No. 2468

By Mr. Fattman, a petition (accompanied by bill, Senate, No. 2468) of Ryan C. Fattman for legislation to amend death and disability compensation for members of the armed forces and the organized militia of the Commonwealth. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

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

An Act amending death and disability compensation for members of the armed forces and the organized militia of the Commonwealth.

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 88 of chapter 33 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended in subsection (a) by striking out the words “An officer or
3 enlisted person of the Massachusetts organized militia” and inserting in place thereof the
4 following words:- “Members of the armed forces of the Commonwealth of Massachusetts and
5 Massachusetts organized militia”.

6 SECTION 2. Said section 88 subsection (a), as so appearing, is further amended by
7 striking out the words “a board” in line 4 and inserting in place thereof the following words:-
8 “The Death Gratuity Board (the “Board”)”.

9 SECTION 3. Said section 88 subsection (b), as so appearing, is further amended by
10 adding in place thereof the following:- “Members of the armed forces of the Commonwealth of
11 Massachusetts and Massachusetts organized militia who, while performing any duty lawfully

12 ordered under this chapter without willful neglect on the part of the person, dies, shall, receive
13 compensation as described by a Board appointed under section 90 for a determination of death
14 gratuity benefits as described in paragraph (c) below. The Board shall consider death or injury
15 arising from present or past qualified duty status on behalf of the Commonwealth of
16 Massachusetts or United States of America. Qualified Duty Status is defined as State Active
17 Duty and service pursuant to orders under Titles 10 and 32 of the US Code.

18 SECTION 4. Said section 88 subsection (b), as so appearing, is further amended by
19 striking out the letter “(b)” and inserting in place thereof the following:- “(c)”.

20 SECTION 5. Said section 88 updated subsection (c), as so appearing, is further amended
21 by striking out the following words:- “If the death of a member of the Massachusetts organized
22 militia results from injury, sickness or disease received while in the line of duty, pursuant to
23 orders under titles 10 and 32 of the United States Code or this chapter and the injury, sickness or
24 disease resulting in the death”, and inserting in place thereof the following words:- “If the death
25 results from injury, sickness, or disease received while in the line of duty, pursuant to orders”.

26 SECTION 6. Said section 88 subsection (c), as so appearing, is further amended by
27 striking out the letter “(c)” and inserting in place thereof the following:- “(d)”.

28 SECTION 7. Said section 88 updated subsection (d), as so appearing, is further amended
29 by striking out the letter “(b)” in line 15 and inserting in place thereof the following:- “(c)”.

30 SECTION 8. Said section 88 updated subsection (d), as so appearing, is further amended
31 by striking out the words “a member of the Massachusetts organized militia”, and inserting in
32 place thereof the following words:- “a member of the armed forces of the Commonwealth of
33 Massachusetts and / or Massachusetts organized militia”.

34 SECTION 9. Said section 88 subsection (d), as so appearing, is further amended by
35 striking out the letter “(d)” and inserting in place thereof the following:- “(e)”.

36 SECTION 10. Said section 88 subsection (e), as so appearing, is further amended by
37 striking out the letter “(e)” and inserting in place thereof the following:- “(f)”

38 SECTION 11. Said section 88, as so appearing, is further amended by adding the
39 following new subsection:- “(g) The board will make a recommendation to the adjudicative
40 authority (The Adjutant General)”.