

SENATE No. 3288

The Commonwealth of Massachusetts

PRESENTED BY:

Vanna Howard

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 relative to the retirement of police sergeant Vincent Fernandez from the city of Lowell police department.

PETITION OF:

NAME:

Vanna Howard

DISTRICT/ADDRESS:

First Middlesex

SENATE No. 3288

By Ms. Howard, a petition (accompanied by bill, Senate, No. 3288) of Vanna Howard (with approval of the mayor and city council) for legislation relative to the retirement of police sergeant Vincent Fernandez from the city of Lowell police department. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act relative to the retirement of police sergeant Vincent Fernandez from the city of Lowell police department.

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. Notwithstanding the provisions of any general or special law to the
2 contrary, the Lowell Retirement Board is hereby authorized and directed to retire Vincent
3 Fernandez, a Police Sergeant of the City of Lowell, MA., who, as a result of injuries sustained
4 while in the performance of his duties on June 4, 2016, is totally and permanently incapacitated
5 from performing the essential duties of a police officer. The annual amount of pension payable to
6 Vincent Fernandez shall be fixed in an amount equal to the regular rate of compensation which
7 would have been paid had he continued in service as a police sergeant of the city of Lowell at the
8 grade held by him at the time of his retirement up until his death or reaching mandatory
9 retirement age whichever comes first. The additional benefits granted herein shall be funded and
10 administered by the Lowell Retirement Board, consistent with and subject to chapter 32 of the
11 General Laws, except that sections 8 and 91A of Chapter 32 of the General Laws shall not apply

however all amounts paid hereunder shall be non-taxable. Upon attaining the mandatory retirement age for a Lowell patrol officer, Vincent Fernandez shall receive a pension pursuant to section 7 of chapter 32 of the General Laws, a yearly amount of pension equal to eighty (80) per cent of the annual rate of the compensation he was receiving on the day before he reaches the mandatory retirement age for a Lowell patrol officer.

SECTION 2. Vincent Fernandez shall be entitled to receive indemnification for all hospital, medical and related expenses that have been or may be, incurred after the date of his retirement as a result of the injuries sustained by him while in the performance of his duties on June 4, 2016, according to the provisions of section 100 and section 100B of chapter 41 of the General Laws.

SECTION 3. In addition to the benefits granted herein and upon retirement, Vincent Fernandez shall receive a lump sum from the Lowell Retirement Board equal to his total accumulated retirement deductions.

SECTION 4. If Vincent Fernandez is married at the time of retirement, then upon his death, should his wife Amy Fernandez survive him, the Lowell Retirement Board shall pay to her an annuity in the amount of three-fourths of the amount of the pension which would have been otherwise payable to him until her death. The pension shall be subject to section 103 of chapter 32 of the General Laws.

SECTION 5. In the event that both Vincent Fernandez and his wife, Amy, die before their children reach the age of eighteen (18) or twenty-two (22), as provided herein, the payments that would otherwise be made to Amy shall be payable, in equal shares, to each child

33 under the age of eighteen (18); provided, however, that payments shall continue to the age of
34 twenty-two (22) for any child who is enrolled as a full-time student.

35 SECTION 6. This act shall be effective upon passage.