

SENATE No. 3289

Senate, October 29, 2026 - Text of the Senate amendment (Senator Keenan) to the House Bill relative to the maintenance of pre-employment physical examination records for public safety personnel in the city of Quincy (House, No. 4890).

The Commonwealth of Massachusetts

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

1 SECTION 1. Notwithstanding any general or special law to the contrary, the Quincy
2 retirement board shall apply the presumptions afforded by sections 94, 94A and 94B of chapter
3 32 of General Laws to certain public safety personnel in the city of Quincy who apply for
4 accidental disability retirement pursuant to section 7 of said chapter 32 pursuant to section 2.

5 SECTION 2. If the member's employer cannot locate or otherwise failed to maintain a
6 complete record of the member's physical examination into service, the employer shall submit an
7 affidavit attesting that the member did undergo an examination and that the examination failed to
8 reveal any evidence of the disabling condition for which the member is seeking accidental
9 disability retirement. This affidavit shall constitute substantial evidence that the member
10 successfully underwent a pre-employment physical examination as required by sections 94, 94A
11 and 94B of chapter 32 of the General Laws and that said physical did not reveal any evidence of
12 the disabling condition for which the member is seeking accidental disability retirement, as
13 further evidenced by the member's acceptance into service.

14 SECTION 3. Within 180 days of the effective date of this act, the public employee
15 retirement administration commission shall request of the Internal Revenue Service a private

letter ruling to determine whether sections 1 and 2 may be implemented without negatively impairing the tax treatment of affected members' disability benefits under the Internal Revenue Code of 1986, including, but not limited to, paragraph (1) of subsection (a) of section 104 of the Code. Said sections 1 and 2 shall not take effect unless and until the Internal Revenue Service issues a favorable ruling that determines that said sections 1 and 2 will not negatively impair the tax treatment of affected members' disability benefits under the Internal Revenue Code of 1986, including, but not limited to, said paragraph (1) of said subsection (a) of said section 104 of said Code.

SECTION 4. This act shall apply to employees hired before January 1, 2027.

SECTION 5. This act shall take effect upon its passage.