

SENATE No.

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 regarding the disability pension for Michael Palmer.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|--------------------------|------------------------------|
| <i>Ryan C. Fattman</i> | <i>Worcester and Hampden</i> |
| <i>Paul K. Frost</i> | <i>7th Worcester</i> |
| <i>Joseph D. McKenna</i> | <i>18th Worcester</i> |

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE DOCKET, NO. 3539 OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act regarding the disability pension for Michael Palmer.

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. (a) Notwithstanding any general or special law to the contrary, the
2 Massachusetts state retirement board shall increase the accidental disability retirement allowance
3 payable to Michael Palmer, a retired officer of the Massachusetts state police who, as a result of
4 injuries sustained while in the performance of his duties on December 31, 2020, is totally and
5 permanently incapacitated from performing the essential duties of a police officer.

6 (b) The annual amount of pension payable to Michael Palmer shall be equal to the
7 regular rate of compensation which would have been paid had he continued in service as a police
8 officer of the Massachusetts state police at the grade held by him at the time of his retirement
9 until his death or reaching mandatory retirement age, whichever comes first. All amounts paid
10 under this act shall be non-taxable to the extent allowable under state and federal law.

11 (c) Notwithstanding section 91A of chapter 32 of the General Laws or any other
12 general or special law to the contrary, Michael Palmer's annual earnings from employment in the
13 service of the commonwealth or a county, city, town, district or authority, including as a
14 consultant or independent contractor or as a person whose regular duties require that his time be
15 devoted to the service of the commonwealth, county, city, town, district or authority during
16 regular business hours, may equal up to ½ the amount of his retirement allowance without refund
17 penalty. Michael Palmer may be employed by a private entity or in the private sector without
18 refund penalty while receiving his pension benefits in subsection (b).

19 (d) Upon attaining the mandatory retirement age for a police officer of the
20 Massachusetts state police, Michael Palmer shall receive a pension pursuant to section 7 of said
21 chapter 32, a yearly amount of pension equal to 80 per cent of the annual rate of the
22 compensation he was receiving on the day before he reaches the mandatory retirement age for a
23 police officer in the Massachusetts state police.

24 (e) Notwithstanding any general or special law to the contrary, the benefits granted
25 herein shall be funded and administered by the Massachusetts state retirement board, consistent
26 with and subject to chapter 32 of the General Laws.

27 SECTION 2. Notwithstanding any general or special law to the contrary, Michael Palmer
28 shall be entitled to receive indemnification for all hospital, medical and related expenses that
29 have been or may be incurred after the date of his retirement as a result of the injuries sustained
30 by him while in the performance of his duties on December 31, 2020, in accordance with
31 sections 100 and 100B of chapter 41 of the General Laws.

32 SECTION 3. Notwithstanding any general or special law to the contrary, the
33 Massachusetts state retirement board shall forthwith pay to said Michael Palmer the amount
34 credited to him as accumulated total deductions in the annuity savings fund of the Massachusetts
35 state retirement board as of the effective date of this act.

36 SECTION 4. Notwithstanding any general or special law to the contrary, if Michael
37 Palmer was married upon retirement then, upon his death, if he is still married to the spouse he
38 was married to upon retirement then, should his spouse to whom he was married on the date
39 upon retirement survive him, the Massachusetts state retirement board shall pay to the spouse an
40 annuity in the amount of 75 per cent of the amount of the pension which otherwise would have
41 been payable to Michael Palmer until the spouse's death. The pension benefits provided for in
42 this section and section 1 shall be subject to section 103 of chapter 32 of the General Laws.

43 SECTION 5. In the event that both Michael Palmer and his spouse to whom he was
44 married on the date upon retirement die before their children reach the age of 18 the payments
45 that would otherwise have been made to Michael Palmer's spouse shall be payable, per stirpes,
46 to each surviving children under the age of 18; provided, however, that payments shall continue
47 for the benefit of a surviving child 18 years or older who, on or before the date of death of
48 Michael Palmer or his spouse to whom he was married on the date upon retirement, whichever is
49 later, had been medically determined to be permanently physically or mentally incapacitated
50 from earning or for the benefit of a child under the age of 22 who is enrolled as a full-time
51 student as determined by the criteria of the educational institution.

52 SECTION 6. This act shall take effect no later than 60 days after its passage.