

**HOUSE . . . . . No. 2364**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Louis L. Kafka*

*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 Creditable Service for Public Safety Officers.

PETITION OF:

| NAME:                      | DISTRICT/ADDRESS:     |
|----------------------------|-----------------------|
| <i>Louis L. Kafka</i>      | <i>8th Norfolk</i>    |
| <i>William C. Galvin</i>   | <i>6th Norfolk</i>    |
| <i>John P. Fresolo</i>     | <i>16th Worcester</i> |
| <i>Stephen L. DiNatale</i> | <i>3rd Worcester</i>  |

**HOUSE . . . . . No. 2364**

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 2364) of Louis L. Kafka and others relative to creditable service for retirement purposes for certain public safety officers. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2471 OF 2011-2012.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act Relative to Creditable Service for Public Safety Officers.

*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 3 of chapter 32 of the General Laws is hereby amended by  
2 inserting after subdivision (5) the following subdivision:-

3 (5) Any public safety officer of a city or town who is a member in service or an inactive  
4 member on authorized leave of absence of any county, city or town, or other contributory  
5 retirement system, as the case may be, who had rendered service in any other state or for the  
6 Massachusetts Bay Transportation Authority for any previous period as a public safety officer  
7 may, before the date any retirement allowance becomes effective for him, pay into the annuity  
8 savings fund of the system in one sum, or in installments, upon such terms and conditions as the  
9 board may prescribe, an amount equal to that which would have been withheld as regular  
10 deductions from his regular compensation for such previous period, or most recent portion  
11 thereof, as he may elect, had such service been rendered in the commonwealth (other than the  
12 Massachusetts Bay Transportation Authority) and had he been a member of a county, city or  
13 town retirement system during the period the service was rendered. Payment shall not be made  
14 and no credit shall be allowed for service in other states or the Massachusetts Bay Transit  
15 Authority in excess of five years; provided, that no credit shall be allowed and no payment shall  
16 be accepted for any service for which the member shall be entitled to receive a retirement  
17 allowance from any other state or the Massachusetts Bay Transportation Authority. In addition to

18 the payment of such sum or installments thereof, such member shall also pay into the annuity  
19 savings fund an amount of interest such that at the completion of such payments the value of his  
20 accumulated payments, together with regular interest thereon, actually made on account of such  
21 previous out-of-state service or service with the Massachusetts Bay Transportation Authority,  
22 shall equal the value of his accumulated regular deductions which would have resulted if regular  
23 deductions had been made when regular compensation for such service was actually received.  
24 Upon the completion of such payments, such member shall receive the same credit for such  
25 period of his previous out-of-state service or service with the Massachusetts Bay Transportation  
26 Authority, or portion thereof elected, as would have been allowed if such service had been  
27 rendered by him in the commonwealth (other than the Massachusetts Bay Transportation  
28 Authority). Such member shall furnish board with such information as it shall require to  
29 determine the amount to be paid and the credit to be allowed under this subdivision. At the time  
30 a retirement allowance becomes due to a member or to a beneficiary under option (d) of  
31 subdivision (2) of section 12, if the Massachusetts service (other than service with the  
32 Massachusetts Bay Transportation Authority) on the date either retirement allowance becomes  
33 effective, or on the date the member attained age 65, whichever first occurs, is less than the  
34 service in other states or the Massachusetts Bay Transportation Authority for which the member  
35 has paid, credit shall be allowed only for the most recent service rendered in other states or the  
36 Massachusetts Bay Transportation Authority equal to such Massachusetts service (other than the  
37 Massachusetts Bay Transportation Authority), and the amount paid for additional service shall be  
38 refunded with accumulated interest, refund to be made only when the retirement allowance  
39 becomes due to the member or to the beneficiary under option (d) of subdivision (2) of section  
40 12, and if it is found that payment has been accepted for any service for which the member is  
41 entitled to a retirement allowance from any other state or the Massachusetts Bay Transportation  
42 Authority, the amount paid for such service with accumulated interest shall also be refunded with  
43 no retirement credit allowed.

44 This subdivision shall take effect with regard to a city, town, county, or other retirement  
45 system upon its acceptance by such system.

46 SECTION 2. Subdivision (1) of section 4 of said chapter 32, as so appearing, is hereby  
47 amended by adding the following paragraph:-

48 Creditable service for periods out-of-state service or service with the Massachusetts Bay  
49 Transportation Authority in the case of any member who has acquired the right to credit for such  
50 service as a member of a county, city or town retirement system, as the case may be, shall be  
51 allowed as provided for in subdivision (5A) of section 3.