

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Thomas P. Kennedy**

*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 passage of the accompanying bill:

An Act authorizing certain public employees creditable retirement service for service in the armed forces.

PETITION OF:

NAME:

Thomas P. Kennedy

DISTRICT/ADDRESS:

Second Plymouth and Bristol

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT AUTHORIZING CERTAIN PUBLIC EMPLOYEES CREDITABLE RETIREMENT SERVICE FOR SERVICE IN THE ARMED FORCES.

*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. Paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws, as last amended by  
2 section (2) of chapter 71 of the acts of 1996, is hereby amended in the first sentence of the last paragraph by striking  
3 out the words “is a veteran who served in the armed services of the United States” and inserting in place thereof the  
4 words:— has received an honorable discharge from the armed services of the United States.

5 SECTION 2. Paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws, as so appearing, is  
6 hereby further amended in the last paragraph by striking out the second to last sentence on lines 125 to 127 and  
7 inserting in place thereof the following new sentence:— A member in service in the retirement system as defined in  
8 section one who was honorably discharged or who is currently serving in the Massachusetts National Guard or an  
9 Active Reserve component of the armed services of the United States and who has completed ten or more years of  
10 membership service shall receive creditable service pursuant to this subdivision, provided, however that in the case  
11 of a member presently serving in the Massachusetts National Guard at the time of his retirement has honorably  
12 served in the Massachusetts National Guard and provided, further, that in the case of a member who is presently  
13 serving in an Active Reserve component has received an honorable discharge from the armed services of the United  
14 States at the time of his retirement.

15 SECTION 3. For the retirement system of any political sub-division, the provisions of this act shall take effect on  
16 the effective date of this act by majority vote of the board of such system and by the local legislative body. For the  
17 purposes of this paragraph, local legislative body shall mean a town meeting for a town system, the city council  
18 subject to the provisions of its charter for a city system, the county commissioners for a county system, the district  
19 members for a district system and the governing body of an authority for an authority system. Acceptance shall be  
20 deemed to have occurred upon the filing of a certification of such vote with the commissioner.  
21 Members in service of a retirement system eligible for said creditable service under this act shall make application  
22 for said creditable service within one hundred and eighty days of being notified by the retirement board of their  
23 eligibility after becoming vested in the retirement system, or for currently eligible members, within one hundred and  
24 eighty days of the acceptance of this act by the local legislative body.  
25 Terms used in this act shall have the same meaning as those terms defined in section one of chapter thirty-two of the  
26 General Laws.

27 SECTION 4. The provisions of this act shall not apply to those members who previously benefited from the  
28 creditable service provisions of Chapter 71 of the Acts of 1996.