

SENATE No. 17

To accompany the petition of Walter W. Chambers and another for legislation relative to the refunding of contributions of members and prospective members of the County Retirement Association in case of their decease. Pensions.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Six.

An Act relative to the Refunding of Contributions of Members and Prospective Members of the County Retirement Association in Case of their Decease.

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 twenty-five of chapter thirty-
2 two of the General Laws is hereby amended by strik-
3 ing out paragraph (2) A (b), as appearing in the Ter-
4 centenary Edition, and inserting in place thereof
5 the following paragraph:—

6 (b) Should a member of the association die before
7 becoming entitled to a pension, all the money con-
8 tributed by him under section twenty-four (2) A,
9 with such interest as shall have been earned thereon,
10 shall be paid to his legal representatives, subject to
11 paragraph (2) F of this section.

1 SECTION 2. Said section twenty-five of said chap-
2 ter thirty-two is hereby further amended by striking

3 out paragraph (2) *B* (*b*), as so appearing, and inserting
4 in place thereof the following paragraph: —

5 (b) A life annuity of less amount, payable monthly,
6 with the provision that if the annuitant dies before
7 receiving annuity payments equal to the amount
8 used to purchase the annuity, the difference shall be
9 paid to his legal representatives, subject to para-
10 graph (2) *F* of this section.

1 SECTION 3. Said section twenty-five of said chap-
2 ter thirty-two is hereby further amended by adding
3 at the end the following new paragraph: —

4 *F*. Any sum of money otherwise payable to the
5 legal representatives of a deceased member or de-
6 ceased employee under paragraphs (2) *A* (*b*) or (2)
7 *B* (*b*) of this section shall be paid, subject to the fol-
8 lowing conditions, to the beneficiary or beneficiaries
9 nominated as hereinafter provided, if any, surviving
10 at the death of such member or employee, as appear-
11 ing in the records of the association at his death, and
12 such payment or payments shall bar the recovery by
13 any other person of such sum. Any such member or
14 employee, by a written instrument duly executed by
15 him and filed with the board prior to his death, upon
16 a form to be furnished by the board, may nominate,
17 and from time to time change, one or more benefi-
18 aries to receive, in designated proportion, but not in
19 the alternative, any such sum; any such person so
20 nominated by a minor to be of his kindred. The sum
21 which would have been paid to any beneficiary if
22 he had survived such member or employee shall be
23 paid to the legal representatives of such member or
24 employee, subject to the conditions hereinafter pro-
25 vided in this paragraph. Any question arising here-

26 under as to survivorship shall be finally determined
27 by the board. If any sum otherwise payable to the
28 legal representatives of a member or employee under
29 paragraph (2) A (b) or (2) B (b) of this section and
30 under this paragraph does not exceed one hundred
31 dollars, and if there has been no demand upon the
32 board for payment of such sum by a duly appointed
33 executor or administrator of the estate of such mem-
34 ber or employee, and the board has not otherwise
35 been informed that probate proceedings relative to
36 such estate have been commenced, such sum may
37 be paid, after the expiration of three months from
38 the date of death of such member or employee, to
39 the persons appearing, in the judgment of the board,
40 to be entitled thereto, and such payments shall bar
41 recovery by any other person.

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