

By Mr. Magnani of Framingham, petition of David P. Magnani and Kevin P. Blanchette for legislation to require the written consent of a spouse of persons selecting certain retirement options. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Nine.

AN ACT REQUIRING THE CONSENT OF A SPOUSE IN SELECTING CERTAIN PENSION OPTIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Subdivision (1) of section 12 of Chapter 32, as appearing in the
2 1986 Official Edition, is hereby amended in line 32 by adding the
3 following paragraph: —
4 For any member who is married, an election shall not be valid
5 unless i) it is accompanied by the signature of the member's spouse
6 indicating the member's spouse's knowledge and understanding
7 of the retirement option selected, or ii) the spouse has received
8 notice of such election as provided in this paragraph. If any
9 member who is married files an election which is not so
10 accompanied the board shall within fifteen days notify the
11 member's spouse by registered mail of the option election, and
12 the election shall not take effect until thirty days following the
13 date on which such notification is sent, and such election may be
14 changed by the member at any time within said thirty days, or
15 at any later time otherwise permitted under this chapter. Nothing
16 in this paragraph shall be deemed to affect the effective date of
17 any retirement allowance, but in the event of any election having
18 been filed which is not so accompanied, the payment of any
19 allowance so elected shall not be commenced earlier than thirty
20 days after the sending by the retirement board of the notice
21 required hereunder.

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