

By Mr. McDonough of Boston, petition of John E. McDonough, Marc D. Draisen and Susan M. Tracy for legislation to provide for the forfeiture of retirement rights of persons convicted of certain violations. Public Service.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR FORFEITURE OF RETIREMENT RIGHTS UPON CONVICTION.

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 15 of chapter 32 of the General Laws,
2 as appearing in the 1988 Official Edition, is hereby amended by
3 striking out paragraph (3A) and inserting in place thereof the
4 following paragraph: —

5 (3A) Forfeiture of rights upon conviction.

6 In no event shall any member be entitled to receive a retirement
7 allowance under the provisions of chapter 32 if such member has
8 received a final conviction in any court of competent jurisdiction
9 on any of the following offenses or on the following count: an
10 offense set forth in or which is the same as those described in
11 section two of chapter two hundred and sixty-eight A; or an
12 offense set forth in section twenty-five of chapter two hundred
13 and sixty-five as that section pertains to police or licensing duties;
14 or an offense set forth in section nineteen hundred fifty-one of
15 Title Eighteen of the United States Code; or a count which charges
16 violation of any of the preceding offenses as racketeering acts
17 under section nineteen hundred sixty-one *et seq.* of Title Eighteen
18 of the United States Code or under a cognate state law. Nor shall
19 any beneficiary be entitled to receive any benefits under such
20 provisions on account of such member. The said member or his
21 beneficiary shall receive, unless otherwise prohibited by law, a

22 return of his accumulated total deductions; provided, however,
23 that the rate of regular interest for the purpose of calculating
24 accumulated total deductions shall be zero.

1 SECTION 2. This act shall take effect upon its passage.