

By Mr. Kafka of Sharon, petition of Louis L. Kafka and Therese Murray relative to providing creditable service for retirement purposes to police officers for service rendered outside of the Commonwealth. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT PROVIDING FOR CREDITABLE SERVICE IN A RETIREMENT SYSTEM FOR OUT OF STATE SERVICE AS A POLICE OFFICER.

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
2 hereby amended by inserting after subdivision (5) the following
3 subdivision:—

4 (5A) Any police officer of a city or town who is a member in
5 service or an inactive member on authorized leave of absence of
6 any county, city or town contributory retirement system, as the
7 case may be, who had rendered service in any other state for any
8 previous period as a police officer may, before the date any retire-
9 ment allowance becomes effective for him, pay into the annuity
10 savings fund of the system in one sum, or in installments, upon
11 such terms and conditions as the board may prescribe, an amount
12 equal to that which would have been withheld as regular deduc-
13 tions from his regular compensation for such previous period, or
14 most recent portion thereof, as he may elect, had such service
15 been rendered in the commonwealth and had he been a member of
16 a county, city or town retirement system during the period the
17 service was rendered. Payment shall not be made and no credit
18 shall be allowed for service in other states in excess of the total
19 Massachusetts service to which the member would be entitled to
20 receive credit if he remained in service to age 65; provided, that
21 no credit shall be allowed and no payment shall be accepted for
22 any service for which the member shall be entitled to receive a
23 retirement allowance from any other state. In addition to the pay-
24 ment of such sum or installments thereof, such member shall also

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

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

1 SECTION 2. Subdivision (1) of section 4 of said chapter 32, as
2 so appearing, is hereby amended by adding the following para-
3 graph:—

4 (r) Creditable service for periods of out-of-state service in the
5 case of any member who has acquired the right to credit for such
6 service as a member of a county, city or town retirement system,
7 as the case may be, shall be allowed as provided for in subdivision
8 (5A) of section 3.