

# HOUSE . . . . . No. 2586

By Mr. Kafka of Stoughton, petition of Louis L. Kafka 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 Seven.

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

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

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