

# SENATE NO. 1603

## **AN ACT** FURTHER REGULATING RETIREMENT LAWS

*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 9 of Chapter 32, as appearing in the 1996 Official Edition, is hereby  
2 amended by striking out subsection (1) and inserting in place thereof the following subsection:-  
3 Section 9(1). Conditions for allowance. If the board, upon receipt of proper proof, finds that any  
4 member in service died as the natural and proximate result of a personal injury sustained or a  
5 hazard undergone as a result of, and in the performance of, his/her duties at some definite place  
6 and at some definite time on or after the date of his/her becoming a member or prior to such  
7 date while any provision of this chapter relating to non-contributory pensions was applicable to  
8 him/her, without serious and willful misconduct on his/her part, the payments and allowance  
9 hereinafter referred to in this section shall be granted to his beneficiary or beneficiaries, in the  
10 sum or sums, and upon the terms and conditions, specified in this section. Except as provided  
11 for in subdivision (3) of section seven, no payments or allowances shall be granted under this  
12 section unless such injury was sustained or such hazard was undergone within two years prior to  
13 the death of such member or, if occurring earlier, unless written notice thereof was filed with  
14 the board by him or in his behalf within ninety days after its occurrence. The provisions of this

15 section shall apply although such member had previously been retired if the board finds that  
16 such death was the natural and proximate result of a personal injury sustained in hazard  
17 undergone as a result of, and while in the performance of his duties.