



Memorandum # 27/2003

Commonwealth of Massachusetts | Public Employee Retirement Administration Commission
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MEMORANDUM

TO: All Retirement Boards

FROM: Joseph E. Connarton, Executive Director

RE: Update on Repeal of G.L. c. 32, § 5(1)(e) – Spousal retirement provision

DATE: August 12, 2003

The Commission has been examining legal issues related to the elimination of G.L. c. 32, § 5(1)(e). See PERAC Memorandum #21/2003 for further information. After reviewing this issue with the Office of the Attorney General, the Commission has determined that any member who applied for retirement using this provision before July 1, 2003 with a retirement date after July 1, 2003 will be eligible to retire using this provision despite its repeal.

We are advised that an administrative appeal has been filed that will deal with the rights of members who have applied for this benefit after July 1, 2003. We will inform you as to the outcome of this appeal.

We trust the foregoing is of assistance. If you have further questions or concerns, please contact this office.