

PERAC PENSION NEWSFLASH

July 19, 2017 | Commonwealth of Massachusetts | Public Employee Retirement Administration Commission

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Legislature Addresses Age Discrimination in Retirement Law

Chapter 32, Section 90G^{3/4} Repealed

The Massachusetts General Court has passed, and Governor Charles D. Baker has approved, a PERAC-proposed change to Chapter 32 — the repeal of Section 90G^{3/4}, an age-discriminatory provision of law. This change was enacted as part of the fiscal year 2018 budget and is effective as of July 1, 2017. Those who have previously made an election under Section 90G^{3/4} will be unaffected by this repeal.

The approval by Governor Baker of Outside Sections 28 and 141 of H. 3800, the legislative Conference Committee Report, repealed Section 90G^{3/4}, which previously required that an employee who had reached the age of 70 and wished to continue to accrue creditable service after that age and receive regular compensation had to elect to do so. PERAC regulations 840 CMR 11.00 had outlined the procedure for making this election.

As a result of this change, the *Application to Continue Retirement Contributions Beyond Age 70* is no longer a valid form and has been removed from our website. A more detailed memorandum to Massachusetts Retirement Boards will follow.

Note: The FY'18 budget is Chapter 47 of the Acts of 2017.

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