

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Eugene L. O'Flaherty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the death of judges in the performance of their duties and survivors benefits.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE DEATH OF JUDGES IN THE PERFORMANCE OF THEIR DUTIES AND SURVIVORS BENEFITS.

*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. Chapter 32 of the General Laws is hereby amended by the adding the following
2 new section:

3 Section 65K Pension; Death of Judge in Performance of Duties; Survivor's Benefits

4 In the event that that a Judge or Justice of any Massachusetts Court dies as a result of other than
5 natural causes in the performance of his/her duties, the judge's designated survivors shall receive
6 maximum retirement benefits, as if the Judge was fully vested, served the maximum number of
7 years and reached the age of 70. For the purposes of this statute, "in the performance of his/her
8 duties" shall include, but shall not be limited to: judicial assignments in any courthouse or other
9 venue, such as hospitals or jails, used to conduct judicial business; to Emergency Judicial
10 Response System assignments; to approved voluntary or assigned education programs or other
11 assignment within the scope of his/her employment as a judge or justice. This statute shall apply

12 to any judge or justice who deceased after January 2002. Benefits shall be effective at the date of
13 death.

14