

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Michael F. Rush**

*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 Treating Veterans Equally Under The Pension Laws.**

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Michael F. Rush

10th Suffolk

Michael A. Costello

1st Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2723 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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### AN ACT RELATIVE TO TREATING VETERANS EQUALLY UNDER THE PENSION 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 1 of chapter 32 of the General Laws, as appearing in the 2002  
2 Official Edition, is hereby amended by striking out, in line 121, the words “sections one to  
3 twenty-eight inclusive”, and inserting in place thereof the following words: - “this chapter”.

4 SECTION 2. Said section 1 is hereby further amended by striking out, in line 299, the words  
5 “sections one to twenty-eight, inclusive”, and inserting in place thereof the following words: -  
6 “this chapter”.

7 SECTION 3. Said section 1 is hereby further amended by striking out, in line 306, the words  
8 “sections one to twenty-eight inclusive”, and inserting in place thereof the following words: -  
9 “this chapter”.

10 SECTION 4. Said section 1 is hereby further amended by striking out, in line 493 to 494, the  
11 words “sections one to twenty-eight, inclusive”, and inserting in place thereof the following  
12 words: -“this chapter”.

13 SECTION 5. Paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws, as  
14 so appearing, is hereby amended by striking out the fourth paragraph, and inserting in place  
15 thereof the following paragraph: -

16 “Notwithstanding the provisions of this chapter, including the provisions of sections 3  
17 and 65D, or any other general or special law, rule or regulation to the contrary, a member in  
18 service of any retirement system governed by the provisions of this chapter who served  
19 honorably in the armed forces of the United States shall be entitled to credit for active service in  
20 the armed services of the United States; provided, however, that such active service shall not be  
21 credited until such member has paid into the annuity savings fund of such system, in one sum or

22 in installments, upon such terms and conditions as the board may prescribe, makeup payments,  
23 for each year of creditable service sought, of an amount equal to the ten percent of the regular  
24 annual compensation of the member when said member entered the retirement system; and,  
25 provided further that such creditable service shall not be construed to include service for more  
26 than four years provided further, that such creditable service shall not be allowed for any period  
27 of active service for which said member has received credit pursuant to paragraph (h) of  
28 subsection (1) of section 4 of chapter thirty-two of the General Laws or for which said member  
29 receives a federal military pension. This act shall apply to Massachusetts National Guard and  
30 Active Reserve personnel, both former and present. Creditable service time, both enlisted and  
31 commissioned may be applied toward retirement on a ratio of five years guard service or five  
32 years active reserve service substitutable for each year of active service.”

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34 SECTION 6. Section 3 of [chapter 71](#) of the acts of 1996 is hereby amended by striking  
35 out the second paragraph, as amended by section 2 of chapter 468 of the acts of 2002, and  
36 inserting in place thereof the following paragraph: -

37 Members in service of a retirement system eligible for said creditable service under this  
38 act shall make application for said creditable service not earlier than the date of becoming  
39 eligible and not later than 180 days after being notified by the retirement board of their eligibility  
40 after becoming vested in the retirement system, or for currently eligible members, within 180  
41 days of the acceptance of this act by the local legislative body.

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