

HB4359 (Chapter 264 of 2016) - Rep. Vieira, David (R) - An Act relative to the the disability retirement of Jared MacDonald, a police officer in the town of Bourne

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. (a) Notwithstanding any general or special law to the contrary and to promote the public good, the Barnstable county retirement board shall retire Jared MacDonald, a police officer in the police department in the town of Bourne who was injured in the line of duty on February 5, 2015 and, as a result, is totally and permanently incapacitated from performing the essential duties of a police officer. The benefits shall be paid and administered in accordance with [section 7 of chapter 32 of the General Laws](#). Upon retirement, Jared MacDonald shall receive a lump sum payment from the Barnstable county retirement board equal to his total accumulated retirement deductions.

(b) The annual amount of pension payable to Jared MacDonald shall be equal to the rate of regular compensation which would have been payable to him had he continued in service as a police officer at the grade held by him at the time of his retirement until his death or until reaching age 65, whichever first occurs. The retirement shall become effective on the date immediately following the final day for which Jared MacDonald received regular compensation for such employment. The additional benefits granted in this act shall be funded and administered by the Barnstable county retirement board, consistent with and subject to said [chapter 32](#); provided, however, that [sections 8, 91 and 91A](#) of said [chapter 32](#) shall not apply. All amounts paid under this act shall be nontaxable to the extent allowable pursuant to state and federal tax law.

(c) Upon attaining age 65, Jared MacDonald shall receive a pension pursuant to section 7 of said chapter 32, the yearly amount of which shall be equal to 80 per cent of the average annual rate of compensation paid to him in the previous 12 months.

(d) If Jared MacDonald is married at the time of his retirement, then upon his death the Barnstable county retirement board shall pay his surviving spouse, Kerry A. MacDonald, if then living, a pension, payable in monthly installments, in the amount of 75 per cent of the annualized amount of the pension payable to Jared MacDonald on the date of his death. The pension shall be subject to section 103 of said chapter 32

(e) Jared MacDonald shall be indemnified for hospital, medical and other required healthcare expenses, not including experimental medical treatments, related to treatment of injuries sustained while in the line of duty on February 5, 2015 not otherwise covered by health insurance.

SECTION 2. This act shall take effect upon its passage.