

OFFERED BY COUNCILOR EDWARD M. FLYNN



CITY OF BOSTON

IN THE YEAR TWO THOUSAND TWENTY SIX

**PETITION FOR A SPECIAL LAW RE:
AN ACT RELATIVE TO MILITARY BUY-BACK FOR VETERAN
MUNICIPAL EMPLOYEES**

WHEREAS, The implementation of the HERO Act provisions governing the buy-back of military service time has significantly altered the timeline under which veteran municipal employees must opt in to purchase creditable military service; *and*

WHEREAS, Under prior practice, veteran employees were permitted to buy back up to four years of military service at any point during their municipal careers, allowing such decisions to be made later in life when financial and career circumstances were clearer; *and*

WHEREAS, Under the current framework, veteran employees are required to enter into agreements and payment plans for the buy-back of military service time within one year of reaching pension vesting eligibility, which occurs after ten years of creditable service with the City; *and*

WHEREAS, This requirement compels veteran employees, particularly firefighters and police officers, to make substantial, non-refundable financial commitments at a relatively young age and early stage of their municipal careers, often at a time when they are raising young families and carrying significant financial obligations; *and*

WHEREAS, Firefighters typically reach their ten-year vesting milestone between the ages of 35 and 40, leaving them with 18-25 or more years remaining in active service. At that point, it is not reasonably possible for employees to know whether they will ultimately retire at their earliest eligible retirement date or continue working beyond that date; *and*

WHEREAS, Payments made toward the buy-back of military service time are currently assigned to the employee's annuity account within the Boston Retirement System and are non-refundable, even if the employee remains in service beyond the earliest retirement date made possible by the buy-back; *and*

WHEREAS, As a result, veteran employees who remain employed beyond their earliest retirement date may effectively forfeit the benefit they paid for, despite having contributed substantial sums toward the purchase of that benefit; *and*

WHEREAS, This concern is particular for firefighters, whose post-retirement life expectancy has been declining due to occupational cancer, illness, and exposure, raising the likelihood that veteran employees may never fully realize the benefit of the military service buy-back they funded earlier in their careers; ***NOW, THEREFORE BE IT***

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this Order be, and hereby is, approved under Clause One (1) of Section Eight (8) of Article Two (2), as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

PETITION FOR A SPECIAL LAW RE: AN ACT RELATIVE TO MILITARY BUY-BACK FOR VETERAN MUNICIPAL EMPLOYEES

SECTION 1.

Notwithstanding Section 18 of Chapter 178 of the Acts of 2024, in the City of Boston all payments made by a veteran employee toward the purchase of creditable military service time shall be:

- (i) Assigned to the employee's annuity account
- (ii) Held in an interest-bearing account within the Boston Retirement System.

SECTION 2.

If a veteran employee reaches their earliest possible retirement date made available as a result of purchasing creditable military service time and elects to remain employed by the City beyond that date, the employee shall be entitled, upon actual retirement, to receive a return of the total amount in the interest-bearing account of buy-back contributions corresponding to the period of service worked beyond the earliest eligible retirement date.

SECTION 3.

The provisions of this act are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions, which remain in full force and effect.

SECTION 3.

This act shall take effect upon its passage.

Filed on: March 11, 2026