

Offered by Councilor Michael F. Flaherty

CITY OF BOSTON

IN THE YEAR TWO THOUSAND SEVENTEEN

HOME RULE PETITION



WHEREAS, Prior to July 1, 2000, any surviving spouse of a City of Boston employee who was killed in the line of duty, died from injuries sustained in the performance of duty, or died from a disability from which he/she retired from, lost their pension and healthcare benefits upon remarriage, known as the “remarriage penalty;” and,

WHEREAS, On July 1, 2000, the Massachusetts Legislature realized this injustice and repealed the “remarriage penalty” which allowed surviving spouses of City of Boston employees who lost their pension and healthcare benefits due to remarriage be reinstated for pension benefits only (See Chapter 159 of the Acts of 2000); and,

WHEREAS, An injustice still exists to the extent that surviving spouses of City of Boston employees who lost their lives from injuries sustained while courageously protecting the citizens of Boston still do not have access or the option to continue to purchase health insurance through the City of Boston Employees’ Health Insurance.

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 1 of Section 8 of Article II, as amended, of the Articles of Amendment 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 CONCERNING INSURANCE BENEFITS FOR SURVIVING SPOUSES**

Section 1. Section 9C of Chapter 32B of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out in lines 5 and 6, the words “until the remarriage or death of said surviving spouse.”

Section 2. Section 9B of Chapter 32B of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out in lines 4 and 5, the words “until the remarriage or death of said surviving spouse.”

Section 3. The provisions of this act shall take effect upon its passage. The provisions of this act shall be prospective from the effective date of this act and shall not entitle any surviving spouse of a deceased employee or retired employee to any retroactive insurance coverage.

Filed in Council: January 11, 2017