

Age 65 laws

MGL Chapter 32, Section 5. (1) Conditions for Allowance. — (a) Any member in service or any member inactive on authorized leave of absence classified in either Group 1 or Group 2 or Group 4 who has attained age fifty-five, and upon his written application on a prescribed form filed with the board and with respective employer, or upon such application by the head of his department after a hearing, if requested, as provided for in subdivision (1) of section sixteen and subject to the conditions set forth in said section and in this section shall be retired for superannuation as of a date which shall be specified in such application and which shall be subsequent to but not more than four months after filing of such application. **Any member in service who has attained maximum age as defined in section 1 shall be so retired for superannuation upon attaining such age** or shall be retired within 90 days after the date the system becomes operative if such maximum age was attained prior thereto or is attained within 90 days thereafter.

MGL Chapter 32, Section 1 – Definitions:

"Maximum age", the age on the last day of the month in which any member classified in *Group 3*, as provided for in paragraph (g) of subdivision (2) of section 3, attains age 55, or if classified in any of the following occupations or position classifications, for which the personnel administrator has determined, pursuant to section 2 of chapter 415 of the acts of 1987, that age is a bona fide occupational qualification, **the last day of the month that a member in any such occupation or position classifications attains age 65: a uniformed member of a paid fire department or uniformed member of a police department.** or of the police force of the Massachusetts Bay Transportation Authority, or a member of the uniformed branch of the department of fisheries and wildlife as determined by the personnel administrator, or a correctional officer or a permanent crash crewman, crash boatman, fire control man, or assistant fire control man employed at the General Edward Lawrence Logan International Airport.

Chapter 415 of the Acts of 1987

SECTION 2. Notwithstanding the provisions of section one, **no member in the occupation or position classification of uniformed member of a paid fire department or uniformed member of a police department,** or of the police force of the metropolitan district commission, or of the police force of the Massachusetts Bay Transportation Authority, or the capitol police, or member of the state police detectives appointed under section six of chapter twenty-two, or member of the uniformed branch of the registry of motor vehicles or department of fisheries and wildlife, as determined by the personnel administrator, or correctional officer, or permanent crash crewman, crash boatman, fire controlman, or assistant fire controlman employed at the General Edward Lawrence Logan International Airport, **shall continue in service beyond the last day of the month in which he attains the age of sixty-five** unless the personnel administrator, after consultation with the secretary of the executive office of public safety, shall have determined by regulation that age is not a reasonably necessary bona fide occupational qualification for service in said occupations or position classifications. For the purpose of promulgating the regulations provided for in this act, the personnel administrator shall conduct a study, to be completed not later than one year from the effective date of this act, to determine whether age continues to be a reasonably necessary bona fide occupational qualification for service in said occupations or position classifications. Upon completion of said study, the personnel administrator shall conduct a further study to determine whether age is a reasonably necessary bona fide occupational qualification for service in any other occupations or position classifications set forth in Group 2 or Group 4 of clause (g) of subdivision (2) of section three of chapter thirty-two of the General Laws.