

Council Order 2024-015

**Introduced By: Town Manager Brian Howard
April 1, 2024**

**Authorization By The Randolph Town Council
To Permit The General Court To Make Edits and Amendments to
Proposed Special Legislation Regarding
The Disability Retirement of Officer Casey L'Italien**

The Randolph Town Council hereby authorizes the General Court to make edits and amendments to proposed Special Legislation regarding the Disability Retirement of Officer Casey L'Italien that is currently pending before the General Court as S1738, An Act relative to the disability retirement of Casey L'Italien, a police officer in the city known as the town of Randolph. That special legislation was originally authorized by a vote of the Randolph Town Council in October of 2022 as Council Order 2022-044. The General Court's proposed amendments are reflected in the updated special legislation language, as provided below. The Town Council hereby authorizes the General Court to make these edits and amendments, and any other similar edits and amendments, to the special legislation, and authorizes the Town Manager to take any action necessary in connection with the submission, edits and amendments of said petition, and further authorizes the General Court to make clerical or editorial changes of form to the proposed special legislation:

AN ACT RELATIVE TO THE DISABILITY RETIREMENT OF CASEY L'ITALIEN, A POLICE OFFICER IN THE CITY KNOWN AS THE TOWN OF RANDOLPH.

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, the Norfolk County Retirement Board shall increase the accidental disability retirement allowance payable to Casey L'Italien, a retired police officer of the police department of the town of Randolph who, as a result of injuries sustained while in the performance of her duties on May 25, 2021, is totally and permanently incapacitated from performing the essential duties of a police officer.

(b) The annual amount of pension payable to Casey L'Italien shall be equal to the regular rate of compensation which would have been paid had she continued in service as a police officer of the town of Randolph at the grade held by her at the time of her retirement until her death or reaching mandatory retirement age, whichever comes first. All amounts paid under this act shall be non-taxable to the extent allowable under state and federal law.

(c) Notwithstanding section 91A of chapter 32 of the General Laws or any other general or special law to the contrary, Casey L'Italien's annual earnings, when added to her retirement allowance, may annually earn up to one-half the amount of her retirement allowance without refund penalty.

(d) Upon attaining the mandatory retirement age for a police officer of the town of Randolph, Casey L'Italien shall receive a pension pursuant to section 7 of said chapter 32, a yearly amount

of pension equal to 80 per cent of the annual rate of the compensation she was receiving on the day before she reaches the mandatory retirement age for a police officer in the town of Randolph.

SECTION 2. Notwithstanding any general or special law to the contrary, Casey L'Italien shall be entitled to receive indemnification for all hospital, medical and related expenses that have been or may be incurred after the date of her retirement as a result of the injuries sustained by her while in the performance of her duties on May 25, 2021, in accordance with sections 100 and 100B of chapter 41 of the General Laws.

SECTION 3. Notwithstanding any general or special law to the contrary, the Norfolk County Retirement Board shall forthwith pay to said Casey L'Italien the amount credited to her as accumulated total deductions in the annuity savings fund of the Norfolk County Retirement Board as of the effective date of this act.

SECTION 4. Notwithstanding any general or special law to the contrary, if Casey L'Italien was married on the date of her injury then, upon her death, if she is still married to the spouse she was married to on the date of injury then, should her spouse to whom she was married on the date of injury survive her, the Norfolk County Retirement Board shall pay to the spouse an annuity in the amount of 75 per cent of the amount of the pension which otherwise would have been payable to Casey L'Italien until the spouse's death. The pension benefits provided for in this section and section 1 shall be subject to section 103 of chapter 32 of the General Laws.

SECTION 5. In the event that both Casey L'Italien and her spouse to whom she was married on the date of injury die before their children reach the age of eighteen the payments that would otherwise have been made to her spouse shall be payable, per stirpes, to each surviving children under the age of 18; provided, however, that payments shall continue for the benefit of a surviving child 18 years or older who, on or before the date of death of Casey L'Italien or her spouse to whom she was married on the date of injury, whichever is later, had been medically determined to be permanently physically or mentally incapacitated from earning or for the benefit of a child under the age of 22 who is enrolled as a full-time student as determined by the criteria of the educational institution.

SECTION 6. This act shall take effect upon its passage.