



# Introduction

## Notice of Potential Veterans' Benefits

Pursuant to Massachusetts General Laws, Chapter 32, Section 4(1)(h)

Form Last Revised: August, 2024

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The *Notice of Potential Veterans' Benefits Pursuant to Massachusetts General Laws, Chapter 32, Section 4(1)(h)* notifies eligible veterans of their rights to purchase creditable service for their military service. In order to purchase such service, a member must meet the definition of "veteran" in Massachusetts General Laws, Chapter 32, Section 1.

Keep in mind:

- **You may make this purchase at anytime up to one year after you vest in the retirement system. Vesting is defined as having 10 years of creditable service.**
- **National Guard and Reservists who do not qualify as a veteran, per the definition on the veteran's buyback form, within one year of vesting, or who have not reached the maximum of four years of eligible purchase time within one year of vesting, will have additional time to make the purchase. They will have five years from the date in which they qualify as a veteran, or the date that they qualify for the full four-year purchase, whichever date last occurs, to enter into a buyback agreement**
- If you have already been granted creditable service for active duty service under Massachusetts General Laws, Chapter 32, Section 4(1)(h), you are not eligible to apply for additional credit based on that same service.
- You should contact your retirement board for an estimate of the cost of this purchase and payment options.
- Once purchased, a refund of the cost of this service is only available by a refund of all accumulated deductions.

### **Definition of Veteran Under Massachusetts General Laws, Chapter 32, Section 4(1)(h) and Massachusetts General Laws Chapter 4, Section 7, Clause 43:**

Massachusetts General Laws, Chapter 4, Section 7, Clause 43 defines "veteran" to mean any person who served at least 180 days active duty in the Army, Navy, Marine Corps, Coast Guard or Air Force whose last discharge or release was under honorable conditions or any person who served at least 90 days of active duty including at least one-day wartime service. The definition specifically excludes active duty for training for the National Guard and Reserves from qualifying as active duty under this section.

Section 4(1)(h) grants eligible veterans, who were **honorably discharged** or **discharged under honorable conditions**, the right to purchase up to four years to add to their creditable service as a member of a retirement system due to service in the armed forces of the United States.

### **State Veteran Status Eligibility**

To be eligible for veterans' benefits, one must be a "veteran" under M.G.L. c. 4, § 7, cl. 43<sup>rd</sup>. You must either have 180 days of active service, or failing that, a certain amount of service during "wartime."

See next page for periods of service constituting "wartime" service.



# Introduction (Continued)

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### Periods of Service Constituting "Wartime" Service

| Era of Service   | Dates                                   | Requirement for Veteran Status   |
|--|---|--|
| <b>WORLD WAR II</b><br>(Merchant Marine:<br>7-Dec-1941 through<br>31-Dec-1946) | 16-Sep-1940<br>25-Jul-1947              | 90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.     |
| <b>KOREA</b>   | 25-Jun-1950<br>31-Jan-1955              | 90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.     |
| Korean Defense<br>Service Medal  | 28-Jul-1954<br>(to be determined later) | 90 days of active duty service, last discharge under honorable conditions and recipient of the Korean Defense Service Medal. |
| <b>VIETNAM</b>   | 5-Aug-1964<br>7-May-1975                | 90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.     |
| Lebanon Campaign*  | 25-Aug-1982<br>(to be determined later) | 90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.     |
| Grenada Campaign*  | 25-Oct-1983<br>15-Dec-1983              | 90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.     |
| Panama Campaign*   | 20-Dec-1989<br>31-Jan-1990              | 90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.     |
| <b>PERSIAN GULF</b>  | 2-Aug-1990<br>(to be determined later)  | 90 days of active duty service, one (1) day during "wartime" and a last discharge or release under honorable conditions.     |

\* Naval and Marine DD-214 must indicate Expeditionary Medal. All DD-214's must specify campaign: Lebanon, Granada, or Panama.

For **GUARD MEMBERS** to qualify they must have 180 days and have been activated under Title 10 of the U.S. Code -OR- Members who were activated under Title 10 or Title 32 of the U.S. Code or Massachusetts General Laws, Chapter 33, Sections 38, 40, and 41 must have 90 days, at least one of which was during wartime, per the above chart.

For **RESERVISTS** to qualify, they must have been called to regular active duty for at least 180 days or 90 days, one of which was wartime according to the above chart.

### National Guard and Reserve Service

Members who served in the National Guard or Reserves, who qualify as a veteran, may purchase creditable service at a ratio of 5 years of Guard or Reserve service to 1 year of creditable service.

### Training Duty Exclusion

For purposes of determining veteran's status active duty service in the armed forces shall not include active duty for training in the Army or Air National Guard or active duty for training as a Reservist in the Armed Forces of the United States.

### Minimum Service Exception (For Death or Disability)

It is not necessary that an applicant have completed the minimum service for wartime or peacetime campaign if he/she served some time in the campaign and was awarded the Purple Heart, or suffered a service-connected disability per the Discharge Certificate, or died in the service under honorable conditions.

**Retirement Board:** Please enter your retirement board information here.

**Name of Retirement Board:**

**Address:**

**City/Town:**

**Telephone:**

**Zip Code:**

**Fax:**

## Procedures

You must complete this application and file it with your retirement board no later than 1 year after you vest in the retirement system unless you are a member of the National Guard or Reserves, who have five years from the date in which they qualify as a veteran, or the date that they qualify for the full four-year purchase, whichever date last occurs, to enter into a buyback agreement. You must enclose a copy of your federal form DD-214 with your application.

- Payment of 10% of your salary when you last became a member of a retirement system per year of creditable service being purchase is required. Consult your retirement board for payment options.
- Once your eligibility has been verified you will receive written notification of: (1) the years and months of service you may purchase (not to exceed four years) and (2) the amount owed.
- No refunds are allowed after purchasing this service except by a refund of all accumulated deductions.

## Application

To the

Retirement Board:

I respectfully request creditable service for my active service in the armed forces of the United States and Active Reserve or National Guard under the provision of Massachusetts General Laws, Chapter 32, Section 4(1)(h).

**Last Name:**

**First Name:**

**M.I.:**

**Social Security #  
(last four):**

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**Phone #:**

**Street Address:**

**City/Town:**

**State:**

**Zip Code:**

**Email:**

**Governmental Unit:**

**Date Most Recently Entered  
Public Service:**

**Date of Honorable Discharge:**

## Member's Signature:

I sign this application under the penalties of perjury. I affirm that the information presented in this application is correct, complete and accurately presented. I understand that giving false or incomplete information may subject me to the loss of my benefits as well as civil and criminal penalties.

**Member's Signature:**

**Date:**