

HOUSE No. 3823

The Commonwealth of Massachusetts

PRESENTED BY:

William C. Galvin

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the appointment of retired police officers in the town of Avon to serve as special police officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>5/23/2019</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>5/28/2019</i>

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By Mr. Galvin of Canton, a petition (accompanied by bill, House, No. 3823) of William C. Galvin and Walter F. Timilty (by vote of the town) that the town of Avon be authorized to appoint retired police officers to serve as special police officers. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act authorizing the appointment of retired police officers in the town of Avon to serve as special police officers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The Board of Selectmen in the town of Avon, as the appointing authority,
2 may appoint as they deem necessary, retired police officers as special police officers for the
3 purpose of performing police details or performing any police duties arising from those police
4 details or arising during the course of police detail work, whether or not related to the detail
5 work. The retired police officers must have been regular police officers and retired, based on
6 superannuation. The special police officers shall not be subject to the maximum age restrictions
7 applied to regular police officers under chapter 32 of the General Laws but shall not be eligible
8 to serve as special police officers if they have reached the age of 70. A special police officer
9 must pass a medical examination by a physician or other certified professional chosen by the
10 Town to determine that he/she is capable of performing the essential duties of a special police

11 officer, the cost of which shall be borne by the special police officer prior to performing police
12 details.

13 SECTION 2. Special police officers, appointed under this act, shall not be subject to
14 chapter 31 of the General Laws or sections 99A, 100 or 111F of chapter 41 of the General Laws,
15 or section 85H of chapter 32 of the General Laws. Special police officers appointed under this
16 act shall be subject to chapter 151A of the General Laws.

17 SECTION 3. Special police officers shall, when performing their duties under section 1,
18 have the same powers to make arrests and perform other functions as do regular police officers in
19 the Town of Avon.

20 SECTION 4. Special police officers shall be re-appointed annually, subject to removal
21 by the Board of Selectmen of the Town of Avon at any time with 14 days' written notice. Upon
22 request, the Police Chief shall provide reasons for removal in writing.

23 SECTION 5. Special police officers appointed pursuant to this act shall be subject to the
24 rules and regulations, policies and procedures and requirements of the police department and
25 chief of police of the Town of Avon, including restrictions on the type of detail assignment,
26 requirements regarding medical examinations to determine continued capacity to perform the
27 duties of a special police officer, requirements for training, requirements for firearm licensing
28 and qualification and requirements regarding uniforms and equipment. Special police officers
29 shall not be subject to section 96B of chapter 41 of the General Laws.

30 SECTION 6. Special police officers appointed pursuant to this act shall be sworn in
31 before the town clerk of the Town of Avon who shall keep a record of all such appointments.

32 SECTION 7. An individual who is appointed as a special police officer pursuant to this
33 act shall be eligible for assignment to any detail.

34 SECTION 8. Retired police officers in the Town of Avon serving as special police
35 officers pursuant to this act shall be subject to the limitations on hours worked and on payments
36 to retired town employees set forth in subsection (b) of section 91 of chapter 32 of the General
37 Laws.

38 SECTION 9. This act shall take effect upon its passage.