

SENATE No. 1311

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

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 relative to police training.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|--------------------------|----------------------------|
| <i>James E. Timilty</i> | <i>Bristol and Norfolk</i> |
| <i>Louis L. Kafka</i> | <i>8th Norfolk</i> |
| <i>Mark J. Cusack</i> | <i>5th Norfolk</i> |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> |
| <i>James M. Cantwell</i> | <i>4th Plymouth</i> |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> |

SENATE No. 1311

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1311) of James E. Timilty, Louis L. Kafka, Mark J. Cusack, Carolyn C. Dykema and other members of the General Court for legislation relative to police training. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1189 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to police training.

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

1 Chapter 6 of the General Laws is hereby amended by inserting after section 116 the
2 following section:-

3 Section 116 1/2. (a) Sums for the estimated expenses of providing annual in-service
4 specialized and statutorily-mandated training programs conducted by the municipal police
5 training committee for veteran and reserve municipal police officers and for those officers
6 employed by agencies of the commonwealth who exercise police powers and receive this
7 training from the municipal police training committee, including but not limited to
8 environmental police officers and campus police officers of the University of Massachusetts and
9 state universities who exercise police powers, shall be paid to the commissioner of insurance by
10 property and casualty insurance companies writing motor vehicle insurance policies in the

11 commonwealth by means of a policy surcharge imposed upon the policyholder of any private
12 passenger automobile policy issued by any property and casualty insurance company writing
13 motor vehicle insurance policies in the commonwealth. These programs shall include new recruit
14 training provided by the municipal police training committee; development and delivery of
15 distance learning programs by the municipal police training committee; a standards and
16 evaluations program for training courses and instructors of or certified by the municipal police
17 training committee; the development and updating of training programs including curricula by
18 the municipal police training committee, hiring, equipping, and training new state police recruits;
19 and the development and operation of a state police cadet program including the hiring,
20 equipping, and training of state police cadets, subject to appropriation, and the estimated cost of
21 fringe benefits associated with this training hiring and employment. The amount of any
22 surcharge shall be separately stated on either a billing or policy declaration sent to an insured.
23 The rate of the policy surcharge shall be determined and adjusted annually by the commissioner
24 of insurance to a rate sufficient to generate a surcharge to fund the expenses estimated by the
25 secretary of public safety and security for the purposes described above.

26 (b) The policy surcharge shall be collected and remitted to the commissioner of insurance
27 by the property and casualty insurance companies writing motor vehicle insurance policies in the
28 commonwealth on a quarterly basis on or before the twenty-fifth day of the month succeeding
29 the end of the quarter in which it is collected. Any company failing or refusing to collect and
30 remit to the commissioner of insurance any policy surcharge or whose surcharge payments are
31 not postmarked by the due dates for quarterly filing shall be liable for a penalty of up to \$100 for
32 each day of delinquency, to be assessed by the commissioner of insurance. The estimated costs
33 shall include an amount equal to the cost of fringe benefits as established by the secretary of

34 administration and finance under section 5D of chapter 29. Any surcharge collected in a fiscal
35 year but not expended by the municipal police training committee or department of state police
36 for the purposes set forth in this section shall be retained by the commonwealth solely for use by
37 the municipal police training committee or department of state police.