

SENATE No. 2824

Senate, July 13, 2020 – Text of the Senate amendment (Senator Eldridge) to the Senate Bill to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color (Senate, No. 2800)

The Commonwealth of Massachusetts

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

1 by inserting after section 73 the following sections:-

2 SECTION XX. Section 10C of Chapter 21A of the General Laws is hereby amended by
3 deleting the words “and constables, except for the service of civil process” as they appear in lines
4 9 and 10.

5 SECTION XX. Section 10 of Chapter 22C of the General Laws is hereby amended by
6 deleting the words “constables, except the service of civil process, and of” and the words “and
7 watchmen” as they appear in lines 7 and 8.

8 SECTION XX. Section 54 of Chapter 22C of the General Laws is hereby amended by
9 deleting the word “Constables,” as it appears in line 1.

10 SECTION XX. Section 57 of Chapter 22C of the General Laws is hereby amended by
11 deleting the words “constables and” as they appear in line 14.

12 SECTION XX. Section 20 of Chapter 30A of the General Laws is hereby amended by
13 deleting the words “constable or other” as it appears in subsection (g), and inserting the word
14 “police” in place thereof.

SECTION XX. Section 13 of Chapter 34 of the General Laws is hereby amended by deleting the words “or constables” as they appear in line 6.

SECTION XX. Section 13 of Chapter 34 of the General Laws is hereby amended by inserting the word “or” before the words “a deputy sheriff”.

SECTION XX. Section 17 of Chapter 39 of the General Laws is hereby amended by deleting the words “constable or any other person” as they appear in line 6, and inserting the words “police officer” in place thereof.

SECTION XX. Section 37 of Chapter 40 of the General Laws is hereby amended by deleting the word “constables” as it appears in line 2.

SECTION XX. Section 91B of Chapter 41 of the General Laws is hereby amended by deleting the words “upon request give the appointing authority all possible assistance in making such investigation.” as they appear in line 14, and inserting the following in place thereof: “conduct a background investigation of the applicant, said investigation to include a review of the applicant's criminal history, if any, to include a review of the applicant's criminal record in all other states by the submission of a full set of the applicant's fingerprints pursuant to Sections 168, 172 and 28 U.S.C. Section 534. The Secretary of Public Safety shall have the authority to promulgate regulations regarding constables.”

SECTION XX. Section 94 of Chapter 41 of the General Laws is hereby amended by deleting the words “and warrants and processes in criminal cases, although their town, parish, religious society or district is a party or interested. They shall have the powers of sheriffs to require aid in the execution of their duties. They shall take due notice of and prosecute all

violations of law respecting the observance of the Lord's day, profane swearing and illegal gaming.”

SECTION XX. Section 95 of Chapter 41 of the General Laws is hereby repealed in its entirety.

SECTION XX. Section 98 of Chapter 41 of the General Laws is hereby amended by deleting the words “shall have all the powers and duties of constables except serving and executing civil process. They” as they appear in lines 2 and 3.

SECTION XX. Section 99 of Chapter 41 of the General Laws is hereby amended by deleting the words “constables and” and the words “except as to the service of civil process,” as they appear in lines 10 through 12.

SECTION XX. Section 101 of Chapter 41 of the General Laws is hereby amended by deleting the words “constables and” as they appear in line 7.

SECTION XX. Section 25B of Chapter 54 of the General Laws is hereby amended by deleting the words “or constables” as they appear in subsection (p).

SECTION XX. Section 66 of Chapter 54 of the General Laws is hereby amended by deleting the words “or constable” as they appear in line 10.

SECTION XX. Section 71 of Chapter 54 of the General Laws is hereby amended by deleting the words “constable or other person” as they appear in lines 7 and 8.

SECTION XX. Section 72 of Chapter 54 of the General Laws is hereby amended by deleting the words “or constable” as they appear in line 3.

SECTION XX. Section 74 of Chapter 54 of the General Laws is hereby amended by deleting the words “constable or other person” as they appear in line 4 and 5.

SECTION XX. Section 75 of Chapter 54 of the General Laws is hereby amended by deleting the words “or constable” as they appear in line 3.

SECTION XX. Section 107 of Chapter 54 of the General Laws is hereby amended by deleting the words “or constable” as they appear in line 23.

SECTION XX. Section 8 of Chapter 64C of the General Laws is hereby amended by deleting the words “or constable” as they appear in line 23.

SECTION XX. Section 16 of Chapter 67 of the General Laws is hereby amended by deleting the words “a constable or by” as they appear in line 2.

SECTION XX. Section 19 of Chapter 85 of the General Laws is hereby amended by deleting the word “constable” as it appears in line 7.

SECTION XX. Section 1 of Chapter 90 of the General Laws is hereby amended by deleting the words “constable or other” as they appear in the definition of “Police Officer”.

SECTION XX. Section 32D of Chapter 90 of the General Laws is hereby amended by deleting the words “constable or” as they appear in line 12.

SECTION XX. Section 40 of Chapter 90 of the General Laws is hereby amended by deleting the words “of constables, except the service of civil process, and” as they appear in the fourth paragraph.

SECTION XX. Section 27 of Chapter 91 of the General Laws is hereby amended by deleting the word “constable” as it appears in line 12.

SECTION XX. Section 32 of Chapter 101 of the General Laws is hereby amended by deleting the words “constables and” as they appear in line 3.

SECTION XX. Section 9 of Chapter 111 of the General Laws is hereby amended by deleting the words “and constables except the power to serve civil process” as they appear in lines 11 and 12. SECTION XX. Section 96 of Chapter 111 of the General Laws is hereby amended by deleting the words “or to any constable” as they appear in line 2.

SECTION XX. Section 99 of Chapter 111 of the General Laws is hereby amended by deleting the word “constable” as it appears in line 5, and inserting the words “police officer” in place thereof.

SECTION XX. Section 131 of Chapter 111 of the General Laws is hereby amended by deleting the words “or to any constable of such town,” as they appear in line 10.

SECTION XX. Section 171 of Chapter 111 of the General Laws is hereby amended by deleting the words “or constable” as they appear in line 6.

SECTION XX. Section 84 of Chapter 119 of the General Laws is hereby amended by deleting the words “Constable or” and “Constable of” as they appear in lines 8 and 48, respectively.

SECTION XX. Section 13 of Chapter 120 of the General Laws is hereby amended by deleting the word “constable” as it appears in line 5.

SECTION XX. Section 46 of Chapter 128 of the General Laws is hereby amended by deleting the words “or constables” as they appear in line 5.

SECTION XX. Section 6 of Chapter 129 of the General Laws is hereby amended by deleting the word “constables” as it appears in line 1.

SECTION XX. Section 7 of Chapter 132A of the General Laws is hereby amended by deleting the words “of constables, except service of civil process, and” as they appear in the second paragraph and the words “of constables” and the words “except service of civil process” as they appear in the third paragraph.

SECTION XX. Section 1 of Chapter 133 of the General Laws is hereby amended by deleting the word “constable” as it appears in line 5.

SECTION XX. Section 22 of Chapter 138 of the General Laws is hereby amended by deleting the words “constable” and “policeman” as they appear in line 46 and inserting the words “police officer” in place thereof.

SECTION XX. Section 30F of Chapter 138 of the General Laws is hereby amended by deleting the word “constable” as it appears in line 6.

SECTION XX. Section 42 of Chapter 138 of the General Laws is hereby amended by deleting the words “or constable” as they appear in line 11.

SECTION XX. Section 46 of Chapter 138 of the General Laws is hereby amended by deleting the words “or constable” as they appear in line 3.

SECTION XX. Section 48 of Chapter 138 of the General Laws is hereby amended by deleting the word “constable” as it appears in line 6.

116 SECTION XX. Section 56 of Chapter 138 of the General Laws is hereby amended by
117 deleting the words “or constable” as they appear in line 3.

118 SECTION XX. Section 152 of Chapter 140 of the General Laws is hereby amended by
119 deleting the word “constable” as it appears in line 1.

120 SECTION XX. Section 153 of Chapter 140 of the General Laws is hereby amended by
121 deleting the word “constable” as it appears in line 6 and inserting the words “animal control
122 officer” in place thereof.

123 SECTION XX. Section 158 of Chapter 140 of the General Laws is hereby amended by
124 deleting the word “constable” as it appears in line 1.

125 SECTION XX. Section 164 of Chapter 140 of the General Laws is hereby amended by
126 deleting the word “constable” as it appears in line 6.

127 SECTION XX. Section 167 of Chapter 140 of the General Laws is hereby amended by
128 deleting the word “constable” as it appears in the third sentence and inserting the words “animal
129 control officer” in place thereof.

130 SECTION XX. Section 167 of Chapter 140 of the General Laws is hereby amended by
131 deleting the fourth sentence in its entirety and in place thereof, inserting the following sentence:
132 “Notwithstanding the foregoing, a police officer or animal control officer may, in the officer's
133 discretion, hold any such dog for not more than 7 days.”

134 SECTION XX. Section 167 of Chapter 140 of the General Laws is hereby amended by
135 deleting the word “constable” as it appears in the fifth sentence and inserting the words “animal
136 control officer” in place thereof.

137 SECTION XX. Section 201 of Chapter 140 of the General Laws is hereby amended by
138 deleting the words “a constable” as they appear in line 1.

139 SECTION XX. Section 2 of Chapter 147 of the General Laws is hereby amended by
140 deleting the words “of constables, police officers and watchmen, except as to the service of civil
141 process” as they appears in lines 2 and 3 and inserting “of police officers” in place thereof.

142 SECTION XX. Section 31 of Chapter 147 of the General Laws is hereby amended by
143 deleting the words “and constables” as they appear in lines 7 and 8.

144 SECTION XX. Section 94 of Chapter 159 of the General Laws is hereby amended by
145 deleting the words “or constables” as they appear in line 7.

146 SECTION XX. Section 14 of Chapter 159B of the General Laws is hereby amended by
147 deleting the words “constables, except the service of civil processes, and of” as they appear in
148 line 6.

149 SECTION XX. Section 220 of Chapter 160 of the General Laws is hereby amended by
150 deleting the word “constables” as it appears in line 8.

151 SECTION XX. Section 1 of Chapter 257 of the General Laws is hereby amended by
152 deleting the words “or constable” as they appear in line 4.

153 SECTION XX. Section 53 of Chapter 262 of the General Laws is hereby repealed in its
154 entirety.

155 SECTION XX. Section 120 of Chapter 266 of the General Laws is hereby amended by
156 deleting the word “constable” as it appears in line 15.

157 SECTION XX. Section 120E of Chapter 266 of the General Laws is hereby amended by
158 deleting the word “constable” as it appears in line 27.

159 SECTION XX. Section 131 of Chapter 266 of the General Laws is hereby repealed in its
160 entirety.

161 SECTION XX. Section 133 of Chapter 266 of the General Laws is hereby amended by
162 deleting the word “constables” as it appears in line 13.

163 SECTION XX. Section 30 of Chapter 267 of the General Laws is hereby amended by
164 deleting the word “constable” as it appears in line 7.

165 SECTION XX. Section 24 of Chapter 268 of the General Laws is hereby amended by
166 deleting the words “constable” and “or watchman” as they appear in lines 2 and 3, and inserting
167 the word “or” before the words “police officer” as they appear in line 2.

168 SECTION XX. Section 26 of Chapter 268 of the General Laws is hereby amended by
169 deleting the word “constable” as it appears in line 5.

170 SECTION XX. Section 2 of Chapter 271 of the General Laws is hereby amended by
171 deleting the word “constable” as it appears in line 11.

172 SECTION XX. Section 6 of Chapter 271 of the General Laws is hereby repealed in its
173 entirety.

174 SECTION XX. Section 23 of Chapter 271 of the General Laws is hereby amended by
175 deleting the word “constable” as it appears in line 13.

176 SECTION XX. Section 9 of Chapter 272 of the General Laws is hereby amended by
177 deleting the word “constable” as it appears in line 9.

178 SECTION XX. Section 54 of Chapter 272 of the General Laws is hereby amended by
179 deleting the word “constable” as it appears in line 4.

180 SECTION XX. Section 65 of Chapter 272 of the General Laws is hereby repealed in its
181 entirety.

182 SECTION XX. Section 67 of Chapter 272 of the General Laws is hereby repealed in its
183 entirety.

184 SECTION XX. Section 69 of Chapter 272 of the General Laws is hereby repealed in its
185 entirety.

186 SECTION XX. Section 70 of Chapter 272 of the General Laws is hereby amended by
187 deleting the word “constable” as it appears in line 1, and inserting the word “or” before the
188 words “deputy sheriff” as they appear in line 1.

189 SECTION XX. Section 83 of Chapter 272 of the General Laws is hereby amended by
190 deleting the word “constable” as it appears in line 7.

191 SECTION XX. Section 84 of Chapter 272 of the General Laws is hereby amended by
192 deleting the word “constable” as it appears in line 1.

193 SECTION XX. Section 88 of Chapter 272 of the General Laws is hereby amended by
194 deleting the word “constable” as it appears in line 10.

195 SECTION XX. Section 2 of Chapter 276 of the General Laws is hereby amended by
196 deleting the words “constable or” as they appear in line 6.

197 SECTION XX. Section 2A of Chapter 276 of the General Laws is hereby amended by
198 deleting the words “or any constable” as they appear in line 6.

199 SECTION XX. Section 38 of Chapter 279 of the General Laws is hereby amended by
200 deleting the word “constable” as it appears in line 1, and inserting the words “police officer”
201 before the words “, when engaged in the execution”.

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