

HOUSE No. 2807

The Commonwealth of Massachusetts

PRESENTED BY:

Jonathan D. Zlotnik

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 law enforcement officer benefit equity.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|-----------------------------|------------------|
| <i>Jonathan D. Zlotnik</i> | <i>2nd Worcester</i> | <i>2/5/2021</i> |
| <i>Steven G. Xiarhos</i> | <i>5th Barnstable</i> | <i>2/23/2021</i> |
| <i>Thomas A. Golden, Jr.</i> | <i>16th Middlesex</i> | <i>2/23/2021</i> |
| <i>Patrick M. O'Connor</i> | <i>Plymouth and Norfolk</i> | <i>5/10/2021</i> |

HOUSE No. 2807

By Mr. Zlotnik of Gardner, a petition (accompanied by bill, House, No. 2807) of Jonathan D. Zlotnik, Steven G. Xiarhos and Thomas A. Golden, Jr., relative to law enforcement officer benefit equity. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to law enforcement officer benefit equity.

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. Section 7 of chapter 4 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by adding the following new paragraph:-

3 "Sixtieth:", "Police officer", "policeman", or "permanent member of a police force", shall
4 include without limitation, any police officer or port officer appointed by the University of
5 Massachusetts, Executive Office of Environmental Affairs, Massachusetts Port Authority, and
6 campuses of the state universities and community colleges.

7 SECTION 2. Section 111f of chapter 41 of the General Laws, is hereby amended by
8 inserting after the words:- "General Edward Lawrence Logan International Airport, and members
9 of the Massachusetts military reservation fire department, for the purposes of this section the
10 Massachusetts Port Authority and Massachusetts military reservation shall be fire districts," the
11 following:- "The provisions of this section shall also apply in all aspects to any University of
12 Massachusetts police officer, Executive Office of Environmental Affairs police officer,

13 Massachusetts Port Authority port officer, state university or community college police officer
14 and supervisors of said police or port officers who shall include sergeants, lieutenants, captains,
15 assistant chiefs, deputy chiefs, and chiefs; ".

16 SECTION 3. Section 94 of chapter 32, as so appearing, is hereby amended by inserting
17 after the words "Massachusetts Bay Transportation Authority," the following words:- "or of the
18 police force of the University of Massachusetts, or of the police force of the Massachusetts Port
19 Authority, or of the police force of the state universities or community colleges, or of the police
20 force of the Executive Office of Environmental Affairs".

21 SECTION 4. Section 5 of chapter 467 Acts of 2004 so appearing, is hereby further
22 amended in Line X by adding after the words "state or community college", the following words:
23 - "or the University of Massachusetts".

24 SECTION 5. Section 32 of chapter 32, as appearing in the 2016 Official edition, is
25 hereby amended by striking out, in line 253, the words "University of Massachusetts police;".

26 SECTION 6. Section 3 of said chapter 32, as so appearing, is hereby further amended by
27 inserting in the description of Group 4 in paragraph (g) of subdivision (2) after the words "chief
28 of security for the University of Massachusetts medical school or supervisory agent", in lines 322
29 through 324, the following words:- "employees of the University of Massachusetts who are
30 employed as police officers and supervisors of said employees who shall include sergeants,
31 lieutenants, captains, assistant chiefs, deputy chiefs, and chiefs; employees of the Massachusetts
32 Port Authority who are employed as port officers and supervisors of said employees who shall
33 include port sergeants, lieutenants, captains, assistant chiefs, deputy chiefs, and chiefs;
34 employees of the state universities and community colleges who are employed as campus police

35 officers and supervisors of said employees who shall include sergeants, lieutenants, captains,
36 assistant chiefs, deputy chiefs, and chiefs; "

37 SECTION 7. The first paragraph of section 32A of chapter 75, as so appearing is hereby
38 Amended, by striking out the second sentence and inserting in the place thereof the following
39 sentence:- "The trustees shall appoint as police officers persons employed by the university who
40 throughout university properties shall have the powers of police officers, except as to service of
41 civil process".

42 SECTION 8. The second paragraph of section 32A of chapter 75, as so appearing is
43 hereby amended by striking the second paragraph and inserting in place thereof the following
44 words:-

45 "Police officers appointed by the trustees of the University of Massachusetts, in
46 connection with the operation of any part of the university, throughout university properties
47 including but not limited to upon lands, roads or properties owned, leased, occupied, sublet, or
48 affiliated with the University of Massachusetts, and throughout any and all such roadways
49 contiguous to said university property to and from all points and locales, may perform police
50 duties under the commanding officer or the person in charge of such campus. While performing
51 such duties within those limits, the police officers shall have the same authority, immunities and
52 privileges as duly appointed and qualified police officers acting elsewhere in the
53 Commonwealth. Every officer who receives an appointment to a position on a full-time basis in
54 which that person may exercise police powers for any of the campuses of the University of
55 Massachusetts, shall, prior to be certified pursuant to chapter 6E".

56 SECTION 9. Section 32 of chapter 75, as so appearing, is hereby further amended by
57 adding third section by inserting the following words:- "Section 32C. While participating in the
58 University of Massachusetts police cadet program, a UMass police cadet shall not be subject to
59 or entitled to the benefits of any retirement or pension law, nor shall any deduction be made from
60 a UMass police cadet's compensation for the purpose thereof; provided, however, that a UMass
61 police cadet who successfully completes the UMass police cadet program and is appointed to the
62 University of Massachusetts police department pursuant to Section 32A of chapter 75 or is
63 enlisted as a state police officer, or is appointed as a police officer in the Office of Law
64 Enforcement within the Executive Office of Energy and Environmental Affairs, Massachusetts
65 Bay Transit Authority, Massachusetts Port Authority, or becomes an employee, as defined in
66 section 1 of chapter 32, or is appointed as a municipal police officer, shall have any University of
67 Massachusetts police cadet service considered as creditable service, as defined in said section 1
68 of said chapter 32, for purposes of retirement if the UMass police cadet pays into the annuity
69 savings fund of the retirement system in 1 sum or installments, upon such terms and conditions
70 as the board may prescribe, not later than 1 year after appointment as described above, such
71 amount as the retirement board determines equal to that which the UMass police cadet would
72 have paid had the UMass police cadet been a member of the retirement system during the period
73 of employment as a University of Massachusetts police cadet, together with buyback interest.