

HOUSE No. 4729

The Commonwealth of Massachusetts

PRESENTED BY:

Meghan K. Kilcoyne and Peter J. Durant

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 Sterling to serve as special police officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Meghan K. Kilcoyne</i>	<i>12th Worcester</i>	<i>5/23/2024</i>
<i>Peter J. Durant</i>	<i>Worcester and Hampshire</i>	<i>5/23/2024</i>

HOUSE No. 4729

By Representative Kilcoyne of Clinton and Senator Durant, a joint petition (accompanied by bill, House, No. 4729) of Meghan Kilcoyne and Peter J. Durant (by vote of the town) that town of Sterling be authorized to appoint retired police officers in said town to serve as special police officers. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the appointment of retired police officers in the town of Sterling 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. (a) The Select Board in the town of Sterling may appoint, as they deem
2 necessary, and upon the recommendation of the Chief of Police, retired police officers of the
3 town of Sterling as special police officers to perform police details or police duties arising from
4 the police details or during the course of police detail work, whether or not related to the detail
5 work. The retired police officers shall 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 shall pass a medical examination by a physician or other certified professional chosen by the
10 town to determine that the officer 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 (b) Special police officers appointed pursuant to this act shall not be subject to Chapter
14 31 of the General Laws, section 85H of Chapter 32 of the General Laws or sections 99A, 100 or
15 111F of Chapter 41 of the General Laws. Special police officers appointed pursuant to this act
16 shall be subject to Chapter 151A of the General Laws.

17 (c) Special police officers shall, when performing their duties under subsection (a), have
18 the same powers to make arrests and perform other functions as do regular police officers in the
19 town.

20 (d) Special police officers shall be re-appointed annually, subject to removal by the Select
21 Board at any time with 14 days' written notice. Upon request, the police chief shall provide
22 reasons for removal in writing.

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

30 (f) Special police officers appointed pursuant to this act shall be sworn in before the town
31 clerk of the town, who shall keep a record of all such appointments.

32 (g) An individual who is appointed as a special police officer pursuant to this act shall be
33 eligible for assignment to any detail, subject to the provisions of any collective bargaining
34 agreement then in effect in the town between the town and the police union.

35 (h) Retired police officers in the town service as special police officers pursuant to this
36 act shall be subject to the limitations on hours worked and on payments to retired town
37 employees set forth in subsection (b) of section 91 of Chapter 32 of the General Laws.

38 SECTION 2. This act shall take effect upon its passage.