

HOUSE No. 4141

The Commonwealth of Massachusetts

PRESENTED BY:

John Barrett, III

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 city of North Adams to appoint retired North Adams police officers as special police officers within said city for paid detail assignments.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>5/2/2025</i>

HOUSE No. 4141

By Representative Barrett of North Adams, a petition (accompanied by bill, House, No. 4141) of John Barrett, III (by the approval of the mayor and city council) that the city of North Adams be authorized to appoint retired North Adams police officers as special police officers within said city for paid detail assignments. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act authorizing the city of North Adams to appoint retired North Adams police officers as special police officers within said city for paid detail assignments.

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 mayor of the City of North Adams may appoint, as the police chief
2 deems necessary, retired North Adams police officers as special police officers to perform police
3 details or any duties arising from police details or during the course of police detail work,
4 whether or not related to the detail work. the police chief shall have discretion to hire only retired
5 North Adams police officers as special police officers and shall establish department rules,
6 procedures and policies concerning these appointments. The mayor shall appoint retired North
7 Adams police officers who served as regular North Adams police officers and are retired based
8 on superannuation. No retired police officer shall be appointed under this act as a special police
9 officer if that officer has been retired more than 5 years without having maintained proper
10 certification by Peace Officer Standards and Training (POST). Special police officers shall not
11 be subject to the same maximum age restrictions as applied to regular North Adams police

12 officers under Chapter 32 of the General Laws. Prior to appointment under this act, a retired
13 North Adams police officer may, at the appointing authority request, pass a medical examination
14 by a physician or other certified professional chosen or agreed to by the department to determine
15 whether the retired North Adams police officer can perform the essential duties of a special
16 police officer under this act. The cost of the medical examination shall be borne by the retired
17 North Adams police officer.

18 SECTION 2. Special police officers appointed under this act shall not be subject to
19 Chapter 31, or to section 150E of Chapter 41, of the General Laws.

20 SECTION 3. When performing the duties set forth in section 1, special police officers
21 shall have the same power to make arrests and to perform other police functions as do regular
22 police officers in the City of North Adams.

23 SECTION 4. A special police officer appointed pursuant to this act shall be appointed
24 until the age of 70; provided, however, that special police officer shall be an at-will appointment
25 subject to removal by the police chief at their discretion at any time. All benefits afforded to
26 special police officers appointed under this act shall terminate upon the conclusion of the
27 employment term. A special police officer's appointment shall automatically terminate upon
28 reaching the last day of the month in which the officer's 70th birthday has occurred.

29 SECTION 5. Special police officers appointed under this act shall be subject to the rules
30 and regulations, policies and procedures and requirements as the police chief may impose from
31 time to time including, but not limited to, restrictions on the type and number of details
32 assignments, requirements regarding medical examinations to determine continuing fitness and
33 capability to perform the duties of a special police officer, requirements for training,

34 requirements for firearms licensing and qualifications, requirements for maintaining of a medical
35 and/or liability insurance policy, and requirements regarding uniforms and equipment. The
36 police chief may, at their discretion, set a schedule of fees associated with the costs of training,
37 medical examinations, equipment, uniforms and any other requirements considered necessary by
38 the police chief that shall be paid by the special police officer appointed under this act.

39 SECTION 6. Special police officers appointed under this act shall be sworn in by the city
40 clerk at the direction of the mayor.

41 SECTION 7. Sections 111F of Chapter 41 of the general laws shall not apply to special
42 police officers under this act. Sections 85H and 85H 1/2 of Chapter 32 of the general laws shall
43 not apply to special police officers appointed under this act.

44 SECTION 8. Appointment as a special police officer shall not entitle the appointee to
45 assignment to any detail.

46 SECTION 9. Retired North Adams police officers serving as special police officers under
47 this act shall be subject to the limitations on hours worked and on earning restrictions as
48 provided in paragraph (b) of section 91 of Chapter 32 of the general laws.

49 SECTION 10. The mayor, as the appointing authority, for the city will have final say in
50 all appointments and removals of special police officers under this act.

51 SECTION 11. This act shall take effect upon its passage.