SENATE DOCKET, NO. 2166 FILED ON: 1/17/2025

SENATE . . . . . No. 1898

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

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 to perform police details in the town of Plainville.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*

SENATE DOCKET, NO. 2166 FILED ON: 1/17/2025

SENATE . . . . . No. 1898

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 1898) of Rebecca L. Rausch (by vote of the town) for legislation to authorize the appointment of retired police officers to perform police details in the town of Plainville. Public Service. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *4464* OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act authorizing the appointment of retired police officers to perform police details in the town of Plainville.

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

SECTION 1. The town administrator of the town of Plainville may appoint retired police officers of the town of Plainville as special police officers to perform police details or other police duties arising from police details or during the course of police detail work, whether or not related to the detail work. The retired police officer shall have been a regular, full-time police officer who retired in good standing and based on superannuation. A special police officer appointed pursuant to this act shall not be subject to the maximum age restrictions for police officers set forth in chapter 32 of the General Laws, but shall not be eligible to serve as a special police officer once the special police officer has reached the age of 70. No further deductions shall be made from the regular compensation of any special police officers appointed pursuant to

this act under Chapter 32 of the General Laws for any service performed subsequent to their reaching the age of 65.

SECTION 2. Prior to appointment as a special police officer pursuant to this act, a retired police officer shall: (i) pass a medical examination conducted by a physician selected by the chief of police of the town of Plainville to determine whether the retired police officer is capable of performing the essential duties of a special police officer; and (ii) provide proof of that passage to the chief of police. Additional post-appointment fitness for duty examinations may be required of a special police officer by the chief of police if, in the chief of police's sole discretion, a question as to that special police officer's fitness for duty has arisen. The cost of all medical examinations pursuant to this section shall be borne by the retired or special police officer.

SECTION 3. A special police officer appointed pursuant to this act shall not be subject to chapter 31, sections 98A and 111F of chapter 41 or chapter 150E of the General Laws. A special police officer may be required by the chief of police, as a condition of employment, to purchase an insurance policy that indemnifies the town of Plainville against workers' compensation costs in the event that the special police officer is injured while performing duties of a special police officer.

SECTION 4. A special police officer appointed pursuant to this act shall be subject to the town policies, procedures, rules and regulations of the police department of the town of Plainville including, but not limited to, those policies, procedures, rules and regulations governing training, equipment, uniforms, certifications or any other restrictions or requirements related to employment as a special police officer. A special police officer appointed under this act shall comply with all requirements of chapter 6E of the General Laws, including: (i)

maintaining certification and good standing with the Massachusetts Peace Officer Standards and Training Commission; and (ii) complying with all annual in-service and other training requirements mandated by the municipal police training committee.

SECTION 5. A special police officer of the town of Plainville, while performing the duties described in this act, shall have the same power of arrest and authority to perform other police functions as a full-time, regular police officer of the town of Plainville.

SECTION 6. A special police officer shall be appointed annually for a term of 1 year commencing on July 1, but shall serve at the pleasure of the town of Plainville and may be suspended or removed from the appointment by the town administrator at any time. In the case of removal, the special police officer shall be provided with 14 days written notice before removal.

SECTION 7. The chief of police of the town of Plainville may restrict the type of detail assignments that special police officers may work. The cost of all training equipment and uniforms shall be borne by the special police officer except as otherwise determined by the chief of police.

SECTION 8. Special police officers of the town of Plainville shall be sworn before the clerk of the town of Plainville, who shall keep record of all appointments and expirations of appointments.

SECTION 9. Special police officers appointed pursuant to this act shall be eligible for indemnification pursuant to section 100 of chapter 41 of the General Laws. Special police officers shall not be subject to sections 85H or 85H½ of chapter 32 of the General Laws and shall not be eligible for any benefits pursuant to said sections 85H or 85H½ of said chapter 32.

SECTION 10. The assignment of a special police officer pursuant to this act to a police detail or other duties shall be at the discretion of the chief of police of the town of Plainville.

SECTION 11. A special police officer appointed pursuant to this act shall be subject to the limitations on hours worked and earnings restrictions in section 91 of chapter 32 of the General Laws.

SECTION 12. This act shall take effect upon its passage.