

**JOINT COMMITTEE ON PUBLIC SERVICE**  
**2025-2026 (194<sup>th</sup>) BILL SUMMARY**

**Bill Number:** H.4234

**Title:** *An Act relative to the appointment of retired police officers as special police officers in the town of Fairhaven*

**Sponsor(s):** Rep. Mark D. Sylvia (*Fairhaven*)

**Hearing Date:** July 16, 2025

**Reporting Deadline:** September 14, 2025

**Prior History:**

New File

**CURRENT LAW:**

*Chapter 160 of the Acts of 2003:* The board of selectmen of the town of Fairhaven may appoint retired Fairhaven police officers as special police officers for the purpose of performing details and the work arising from such details. The retired officers must have retired from the Fairhaven police department with superannuation retirement and pass a medical examination by a professional chosen by the town. The retired officer will pay the cost of the examination. Special police officers appointed under this section will be exempt from chapter 31 and section 99A of chapter 41. These officers will have the same power to make arrests and perform other functions that regular police do and may serve for an indefinite period of time, subject to a 14 day notice of removal by the selectmen. They will not be subject to section 96B of chapter 41 but will be subject to the chief of police's policies. They will be subject to section 100 and 111F of chapter 41. The amount payable under said section 111F shall be calculated by averaging the amount earned over the prior 52 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as special police officer less than 52 weeks prior to the incapacity. In no event shall payment under said section 111F exceed, in any calendar year, the limitation on earning contained in subsection (b) of section 91 of chapter 32. Payment under section 111F will terminate at age 65, or a higher year if this session law is amended to allow special police officers to work beyond age 65. But in no event will the benefits be paid beyond age 70. Special police officers will not be subject to section 85H of chapter 32 or eligible for any of the benefits in that section. Appointment will entitle any special police officer to assignment to any detail. Special police officers will be subject to the earnings limitations pursuant to section 91 of chapter 32.

**SUMMARY:**

The bill amends the current session law. The Chief of police will be responsible for appointing special police officers, with the approval of the town administrator. In addition to the current eligibility requirements, a retired officer must be retired for no more than five years and be no

more than 69 years old. Appointed special police officers will also not be subject to chapter 150E. A special police officer may work for an indefinite term, subject to a 14 day notice, but will automatically be terminated once they reach age 70. The bill further amends the session law by striking language allowing for section 111F benefits to be collected beyond age 65 only if the maximum age of the special police officers is increased. Special police officers will not be entitled to be assigned to any detail. Special police officers appointed under this section must maintain good standing with the POST commission and comply with all other training and annual in-service training mandated by the municipal police training committee.