

Massachusetts House of Representatives
Bill Summary

Bill #: H.2335

Title: An Act extending residency requirements for members of the regular police or fire departments and fire alarm division of the city of Newton

Sponsor: Rep. Greg Schwartz

Committee: Municipalities and Regional Government

Hearing Date: 5/13/25

Prior History: H.5085 (2023-2024) OTP

Current Law: Chapter 41 Section 99A of MGL requires members of the regular police or fire departments and fire alarm division of a city or town, after August 1, 1978, to reside within 15 miles of the limits of said city or town. Such distance shall be measured from the closest borders limits of said city or town in which said member is employed to the closest border limits of the city or town in which said member lives. This section allows for a local ordinance to have further residency restrictions for these members.

Chapter 150E of MGL concerns labor relations for public employees. This chapter deals with collective bargaining rights for public employees.

Article 1 of the Ordinances of the City of Newton establishes residency requirements for members of the police and fire department.

- Section 10-34 requires members of the fire department to reside within 10 miles of the limits of the City of Newton.
- Section 24-2 requires members of the police force to reside within the cities of Newton or Waltham or the towns of Brookline, Needham, Watertown, Wellesley, or Weston or at a place within the City of Boston which is not more than 3 miles from Newton.

Summary: Section 1 requires any member of the regular police or fire departments and fire alarm or wires division of the City of Newton, within 9 months of appointment, to reside within Newton or within 35 miles of Newton's city limits or within such distance of Newton's city limits as set under a collective bargaining agreement negotiated under Chapter 150E of MGL. This distance shall be measured from the closest Newton border limits to the closest border limits of the city or

town in which said member resides. The section would have the effect of expanding the pool of potential candidates for the regular police or fire departments and fire alarm or wires division in Newton.

Section 2 states that this act shall take effect upon its passage.

Notes:

The language in this legislation was approved by the Newton City Council on April 19, 2022. It was approved with a vote of 22 yeas, 1 nay, and 1 absent. Local approval is still valid because the bill was not filed until the 2023-2024 session.

The sponsor of the legislation in the 2023-2024 session, Rep. Balsler indicated that this bill was time-sensitive because the City of Newton needs to come into compliance with its collective bargaining agreements. This bill would enable the City of Newton to expand the residency requirement for all members of the police and firefighter departments from a 15-mile to a 35-mile distance of the city limits. In doing this, the city would be in alignment with all 3 of its public safety union contracts, practices, and its ordinances.