

**HOUSE . . . . . No. 2276**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Diana DiZoglio***

*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 relative to the appointment and reappointment of public safety officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Diana DiZoglio</i>	<i>14th Essex</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>

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By Ms. DiZoglio of Methuen, a petition (accompanied by bill, House, No. 2276) of Diana DiZoglio and others relative to the appointment and reappointment of public safety officers. Public Service.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2294 OF 2013-2014.]

The Commonwealth of Massachusetts

—————  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
—————

An Act relative to the appointment and reappointment of public safety 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 133. Pursuant to this chapter, and notwithstanding the provisions of any general  
2 or special law to the contrary, the appointment and reappointment of full-time police officers  
3 "and/or firefighter(s)" not subject to the provisions of chapter thirty-one shall be subject to the  
4 following provisions:

5           (a) The initial appointment shall be for a period of one year during which a person shall  
6 actually perform the duties of such position on a full-time basis. The initial appointment shall be  
7 a probationary period during which police officers "and/or firefighter(s)" shall be deemed  
8 employees at will whose removal or dismissal shall be without recourse at any time during such  
9 initial appointment.

10           (b) Appointment subsequent to the initial appointment shall be made annually or for a  
11 term of years not exceeding three years, as the appointing authority shall determine, and such  
12 appointing authority may remove any such officer for "just" cause, and after a hearing, at any  
13 time during such appointment. For police officers "and/or firefighter(s)" covered by collective  
14 bargaining agreements which contain standards for the discharge, termination or removal of  
15 employees, the nonreappointment of a police officer "and/or firefighter(s)" serving under an  
16 appointment subsequent to an initial appointment shall be considered to be a discharge,  
17 termination or removal and the standards shall be enforceable with respect to such  
18 nonreappointment by the procedures set forth in the collective bargaining agreement.