

SENATE No. 01258

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

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 passage of the accompanying bill:

An Act relative to police training.

PETITION OF:

NAME:

James E. Timilty

DISTRICT/ADDRESS:

Bristol and Norfolk

SENATE No. 01258

By Mr. Timilty, petition (accompanied by bill, Senate, No. 1258) of Timilty for legislation relative to police training [Joint Committee on Public Safety and Homeland Security].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to police training.

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. Chapter 6 of the General Laws is hereby amended by inserting after
2 section 116 the following section:-

3 Section 116 1/2. (a) Sums for the estimated expenses of providing annual in-service
4 specialized and statutorily-mandated training programs conducted by the municipal police
5 training committee for veteran and reserve municipal police officers and for those officers
6 employed by agencies of the commonwealth who exercise police powers and receive this
7 training from the municipal police training committee, including but not limited to
8 environmental police officers and campus police officers of the University of Massachusetts and
9 state universities who exercise police powers, shall be paid to the commissioner of insurance by
10 property and casualty insurance companies writing motor vehicle insurance policies in the
11 commonwealth by means of a policy surcharge imposed upon the policyholder of any private
12 passenger automobile policy issued by any property and casualty insurance company writing

13 motor vehicle insurance policies in the commonwealth. These programs shall include new recruit
14 training provided by the municipal police training committee; development and delivery of
15 distance learning programs by the municipal police training committee; a standards and
16 evaluations program for training courses and instructors of or certified by the municipal police
17 training committee; the development and updating of training programs including curricula by
18 the municipal police training committee, hiring, equipping, and training new state police recruits;
19 and the development and operation of a state police cadet program including the hiring,
20 equipping, and training of state police cadets, subject to appropriation, and the estimated cost of
21 fringe benefits associated with this training hiring and employment. The amount of any
22 surcharge shall be separately stated on either a billing or policy declaration sent to an insured.
23 The rate of the policy surcharge shall be determined and adjusted annually by the commissioner
24 of insurance to a rate sufficient to generate a surcharge to fund the expenses estimated by the
25 secretary of public safety and security for the purposes described above.

26 (b) The policy surcharge shall be collected and remitted to the commissioner of
27 insurance by the property and casualty insurance companies writing motor vehicle insurance
28 policies in the commonwealth on a quarterly basis on or before the twenty-fifth day of the month
29 succeeding the end of the quarter in which it is collected. Any company failing or refusing to
30 collect and remit to the commissioner of insurance any policy surcharge or whose surcharge
31 payments are not postmarked by the due dates for quarterly filing shall be liable for a penalty of
32 up to \$100 for each day of delinquency, to be assessed by the commissioner of insurance. The
33 estimated costs shall include an amount equal to the cost of fringe benefits as established by the
34 secretary of administration and finance under section 5D of chapter 29. Any surcharge collected
35 in a fiscal year but not expended by the municipal police training committee or department of

36 state police for the purposes set forth in this section shall be retained by the commonwealth
37 solely for use by the municipal police training committee or department of state police.