

**SENATE . . . . . No. 2275**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Richard J. Ross*

*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 special police officers in the town of Wrentham.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Richard J. Ross*

*Norfolk, Bristol and Middlesex*

*Shawn Dooley*

*9th Norfolk*

**SENATE . . . . . No. 2275**

[Pin Slip]

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act authorizing the appointment of special police officers in the town of Wrentham.

*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. The town administrator of the town of Wrentham may, at the  
2 recommendation of the police chief and as said chief deems necessary, appoint active and retired  
3 police officers and reappoint individuals who as of the effective date of this act hold an  
4 appointment as a Wrentham special police officer, as special police officers to perform police  
5 details or other duties arising from or during the course of police detail work whether or not  
6 related to the detail work; provided, however, that a retired police officer shall have been a  
7 regular police officer within the commonwealth and retired based on superannuation.

8 SECTION 2. Notwithstanding section 1 of chapter 32 of the General Laws or any other  
9 general or special law to the contrary, the maximum age for a Wrentham special police officer  
10 shall be the last day of the month that the special police officer attains the age of 75; provided,  
11 however, that prior to appointment or reappointment under this act and annually thereafter, any  
12 individual who is not an active police officer in the commonwealth shall pass a medical  
13 examination conducted by a physician or other certified professional selected by the town to  
14 determine whether the individual is capable of performing the essential duties of a special police  
15 officer and all costs thereof shall be borne by the individual.

16 SECTION 3. Special police officers appointed under this act may be appointed for a  
17 term not exceeding 3 years. Before entering upon the official duties, the special police officer  
18 shall be sworn to the faithful performance of those duties before the town clerk of the town of  
19 Wrentham or before a justice of the peace who shall, within 7 days after administering the oath  
20 of office, return a certificate of such oath to the town clerk. The town clerk of the town of  
21 Wrentham shall keep a record of all special police officer appointments.

22 SECTION 4. When performing the duties authorized under section 1, special police  
23 officers shall have the same power to make arrests and perform other police functions as do  
24 regular uniformed police officers of the town of Wrentham.

25 SECTION 5. Special police officers appointed under this act shall be subject to removal  
26 or suspension by the town administrator at any time. In the case of removal, a special police  
27 officer shall be provided with 14 days written notice prior to removal. Upon request, the town  
28 administrator shall provide the reasons for removal or suspension in writing.

29 SECTION 6. Special police officers appointed under this act shall be subject to the rules  
30 and regulations, policies and procedures and requirements of the town administrator and the  
31 chief of police of the town of Wrentham including, but not limited to, restrictions on the type of  
32 detail assignments, requirements regarding medical examinations to determine continuing  
33 capability to perform the duties of a special police officer, requirements for training,  
34 requirements for firearms licensing and qualifications and requirements regarding uniform and  
35 equipment. Special police officers shall not be subject to section 96B of chapter 41 of the  
36 General Laws. The cost of all training, certification, uniforms and equipment shall be borne by  
37 the special police officer.

38 SECTION 7. Special police officers appointed under this act shall not be subject to  
39 chapter 31 of the General Laws, sections 85H or 85H-1/2 of chapter 32 of the General Laws,  
40 section 99A of chapter 41 of the General Laws or chapter 150E of the General Laws and shall  
41 not be eligible for any benefits pursuant to chapter 151A of the General Laws based on their  
42 service as special police officers.

43 SECTION 8. Special police officers appointed under this act shall be subject to sections  
44 100 and 111F of chapter 41 of the General Laws; provided, however, that the amount payable  
45 under said section 111F of said chapter 41 shall be calculated by averaging the amount earned  
46 over the prior 52 weeks as a special police officer working police details or averaged over such  
47 lesser period of time for any individual designated as a special police officer less than 52 weeks  
48 prior to the incapacity. Payments under said section 111F of said chapter 41 shall not exceed, in  
49 a calendar year, the limitation on earnings in paragraph (b) of section 91 of chapter 32 of the  
50 General Laws. Payments under said section 111F of said chapter 41 shall terminate in  
51 accordance with said section 111F of said chapter 41 or when the special police officer reaches  
52 the age of 75, whichever occurs sooner.

53 SECTION 9. Appointment as a special police officer shall not entitle that person to  
54 assignment to any detail.

55 SECTION 10. Special police officers appointed under this act shall be subject to the  
56 limitation on hours worked and other restrictions on earnings as provided in paragraph (b) of  
57 section 91 of chapter 32 of the General Laws.

58           SECTION 11. This act shall not limit the town's authority to appoint special police  
59 officers pursuant to section 99 of chapter 41 of the General Laws, nor limit the authority,  
60 immunities or privileges of special police officers appointed under said section 99 of said chapter  
61 41.

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