

# HOUSE . . . . . No. 4464

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 14, 2024.

The committee on Public Service, to whom was referred the petition (accompanied by bill, House, No. 4216) of Marcus S. Vaughn (by vote of the town) that the town of Plainville be authorized to appoint retired police officers as special police officers in said town, reports recommending that the accompanying bill (House, No. 4464) ought to pass [Local Approval Received].

For the committee,

KENNETH I. GORDON.

**HOUSE . . . . . No. 4464**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act authorizing the appointment of retired police officers to perform police details.

*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 Plainville may appoint retired police  
2 officers of the Town of Plainville as special police officers to perform police details or other  
3 police duties arising from police details or during the course of police detail work, whether or not  
4 related to the detail work. The retired police officer shall have been regular, full-time police  
5 officers who retired in good standing and based on superannuation. A special police officer  
6 appointed pursuant to this act shall not be subject to the maximum age restrictions for police  
7 officers set forth in chapter 32 of the General Laws, but shall not be eligible to serve as a special  
8 police officer once the special police officer has reached the age of 70. No further deductions  
9 shall be made from the regular compensation of any special police officers appointed pursuant to  
10 this act under Chapter 32 of the General Laws for any service performed subsequent to their  
11 reaching the age of 65.

12           Section 2. Prior to appointment as a special police officer pursuant to this act, a retired  
13 police officer shall be required to: (i) pass a medical examination conducted by a physician  
14 selected by the chief of police of the Town of Plainville to determine whether the retired police

15 officer is capable of performing the essential duties of a special police officer; and (ii) provide  
16 proof of that passage to the chief of police. Additional post-appointment fitness for duty  
17 examinations may be required of a special police officer by the chief of police if, in the chief of  
18 police's sole discretion, a question as to that special police officer's fitness for duty has arisen. the  
19 cost of all medical examinations pursuant to this section shall be borne by the retired or special  
20 police officer.

21 Section 3. A special police officer appointed pursuant to this act shall not be subject to  
22 chapter 31, sections 98A and 111F of chapter 41 or chapter 150E of the General Laws. A special  
23 police officer may be required by the chief of police, as a condition of employment, to purchase  
24 an insurance policy that indemnifies the Town of Plainville against workers' compensation costs  
25 in the event that the special police officer is injured while performing duties of a special police  
26 officer.

27 Section 4. A special police officer appointed pursuant to this act shall be subject to the  
28 town policies, procedures, rules and regulations of the police department of the Town of  
29 Plainville including, but not limited to, those policies, procedures, rules and regulations  
30 governing training, equipment, uniforms, certifications or any other restrictions or requirements  
31 related to employment as a special police officer.

32 Section 5. A special police officer of the Town of Plainville, while performing the duties  
33 described in this act, shall have the same power of arrest and authority to perform other police  
34 functions as a full-time, regular police officer of the Town of Plainville.

35 Section 6. A special police officer shall be appointed annually for a term of 1 year  
36 commencing on July 1, but shall serve at the pleasure of the Town of Plainville and may be

37 suspended or removed from the appointment by the town administrator at any time. In the case  
38 of removal, the special police officer shall be provided with 14 days written notice before  
39 removal.

40 Section 7. The chief of police of the Town of Plainville may restrict the type of detail  
41 assignments that special police officers may work. Special police officers appointed pursuant to  
42 this act shall not be subject to section 96B of chapter 41 of the General Laws. The cost of all  
43 training equipment, and uniforms shall be borne by the special police officer except as otherwise  
44 determined by the chief of police.

45 Section 8. Special police officers of the Town of Plainville shall be sworn before the  
46 clerk of the Town of Plainville, who shall keep record of all appointments and expirations of  
47 appointments.

48 Section 9. Special police officers appointed pursuant to this act shall be eligible for  
49 indemnification pursuant to section 100 of chapter 41 of the General Laws. Special police  
50 officers shall not be subject to section 85H or 85H1/2 of chapter 32 of the General Laws and  
51 shall not be eligible for any benefits pursuant to said section 85H or 85H1/2 of said chapter 32.

52 Section 10. The assignment of a special police officer pursuant to this act to a police  
53 detail or other duties shall be at the discretion of the chief of police of the Town of Plainville.

54 Section 11. A special police officer appointed pursuant to this act shall be subject to the  
55 limitations on hours worked and earnings restrictions in section 91 of chapter 32 of the General  
56 Laws.

57 Section 12. This act shall take effect upon its passage.