



## MASSACHUSETTS BILL STATUS

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### HB1209 - An Act making drug dealing subject to dangerousness hearing determinations

Sponsor: Rep. Cabral, Antonio (D)

Summary: Amends GL 276:58A relative to dangerousness hearings, by including drug offenders among the group of defendants who will be subject to the hearings. Under current law, only offenders who are accused of felonies involving use of physical force, violation of an order, or abuse are subject to dangerousness hearings and the potential for pre-trial detention without the possibility of parole; under the bill, drug offenders would be subject to the same risk. (Note: historically the only question at bail hearings was to evaluate the risk of an offenders fleeing the jurisdiction of the court. Dangerousness hearings are a relatively recent development in criminal law, where the justification for detention is not the likelihood of flight, but the likelihood of reoffending prior to trial.)

Progress:           Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB1268 - An Act relative to repeat domestic violence offenders

Sponsor: Rep. Dwyer, James (D)

Summary: Amends definitions of household and or family member and classifies both persons under the term domestic; articulates distinct, escalating penalties, based on number of previous convictions for whoever commits a subsequent assault or an assault and battery upon another defined as a domestic; requires for any conviction of this section, the court must order the defendant to complete a certified batterers intervention program unless the court shows otherwise.

Progress:           Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB1337 - An Act relative to intentionally blocking or preventing access to a public roadway or highway while protesting with the express purpose of preventing passage of others

Sponsor: Rep. Garry, Colleen (D)

Summary: Filed in response to the "Black Lives Matter" protest that snarled traffic on Route 93 on January 15th, 2015, and in which several emergency vehicles were caught up in the traffic jam, this bill criminalizes the act of intentionally blocking or preventing access to a public roadway or highway while protesting. This offense is to be chargeable as a felony and punishable by imprisonment in state prison for up to 10 years and by a fine of up to \$1000. If charged as a misdemeanor, the maximum penalty would be 2½ years in a House of Correction. (Please note that no General Law is amended or created.)

Progress:           Referred to Committee

Last Action: 03/14/16 - H - Extension order filed (until May 2, 2016)

### HB1380 - An Act increasing penalties for discharging a firearm in a dwelling, residence or structure where persons reside

Sponsor: Rep. Holmes, Russell (D)

Summary: Adds new section 12G to GL 269, the statute governing Crimes Against Public Peace, to make discharging a firearm into a dwelling or residence, a daycare facility, an elementary or secondary school, college or university a crime punishable by imprisonment for one to five years; establishes the one year sentence as a mandatory minimum sentence.

Progress:           Referred to Committee

Last Action: 03/16/16 - H - Extension order filed (until May 2, 2016)

### HB1497 - An Act to prohibit gunfire directed at dwelling houses

Sponsor: Rep. Mom, Rady (D)

Summary: Adds new section 18D to expressly create a criminal offense for shooting a house with a mandatory minimum sentence of 5 years and does not allow for a suspended sentence, early release, continuance without a finding, or other reductions in sentence.

Progress:        Referred to Committee

Last Action: 03/16/16 - H - Extension order filed (until May 2, 2016)

### HB1647 - An Act relative to the protection of public safety officers

Sponsor: Rep. Vieira, David (R)

Summary: Amends GGL 268 by imposing ;a term of imprisonment in a jail or house of correction for one year upon any prisoner or inmate of any correctional facility found in possession of a handcuff key.

Progress:        Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB1648 - An Act relative to possession of hypodermic needles and protecting public safety officials

Sponsor: Rep. Vieira, David (R)

Summary: Amends SL 2006:172 relative to HIV and Hepatitis C prevention, by adding provisions to protect first responders from unprotected exposures caused by needles. The bill purports to create an incentive for those with needles in their possession to inform those who may be accidentally stuck by the needle. The bill creates this incentive by criminalizing the failure to provide this information. Specifically, the bill establishes that anyone who has in their possession a hypodermic needle, and refuses to inform law enforcement, fire, or EMS personnel when asked if they have a needle, is to be punished by imprisonment in jail or house of correction for up to 1 year, or by a fine of between \$500 or \$1000, or both.

Progress:        Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB1670 - An Act to increase penalties for heroin distribution

Sponsor: Rep. Whelan, Timothy (R)

Summary: Amends GL 94C:32 relative to class A controlled substances by adding new provisions establishing a mandatory minimum for all class A violations of at least 2½ years incarceration. (Please note, however, that the bill also appears to allow incarceration in a house of correction for only 1 year, which appears to be at odds with the requirement of the mandatory minimum. Also, in order to have incarceration in a state prison, the offense would need to be indicted as a felony, in which case the minimum term of incarceration would ordinarily be 5 years.)

Progress:        Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB1671 - An Act to increase penalties for distribution of oxycodone

Sponsor: Rep. Whelan, Timothy (R)

Summary: Amends GL 94C:32A, the statute governing distribution of Class B controlled substances, to include opiates in the same grouping of cocaine and methamphetamine that requires a mandatory minimum sentence of two and a half years.

Progress:        Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB1672 - An Act to enhance safety on public ways

Sponsor: Rep. Whelan, Timothy (R)

Summary: Adds a new section to GL 266 (Crimes Against Property) that essentially criminalizes blocking a public roadway. Specifically, the bill establishes that anyone who knowingly, and not being authorized by a written permit issued by the municipality, stands or remains, or erects any barrier on a public way with, the intent or effect of disrupting (not "disputing," as the bill indicates) traffic, may be guilty of an offense punishable by incarceration for 1 year, and a fine of up to \$2,500. In addition, a conviction or findings of sufficient facts will be prima facie evidence

of civil liability in any action brought in connection with injury to person or property resulting from the traffic disruption. (Please note that this bill is essentially a response to the "Black Lives Matter" protest that snarled traffic on Route 93 on January 15th, 2015, and in which several emergency vehicles were caught up in the traffic jam. Please note also that criminalizing this 1st amendment conduct may have constitutional implications, since these provisions would be subject to the strictest scrutiny and therefore must be as narrowly drawn as possible.)

Progress:         Referred to Committee

Last Action: 03/16/16 - H - Extension order filed (until May 2, 2016)

#### **HB1689 - An Act relative to needle stick injuries suffered by first responders**

Sponsor: Rep. Calter, Thomas (D)

Summary: Amends GL 149 (Labor and Industries) by adding a new section relative to needle stick injuries suffered by first responders. In particular, the bill establishes that whenever the skin of any first responder is punctured or scratched by a syringe, needle, tooth or other sharp instrument while in the performance of their duties, the employer of the first responder will continue to pay the first responder for any scheduled time that the responder needs for testing or treatment of any infectious disease, including potential HIV, AIDS or hepatitis. If after a reasonable investigation, the employer doubts the truthfulness of the first responder's incident report, the employer may withhold payment required until an appeal is resolved.

Progress:         Referred to Committee

Last Action: 03/16/16 - H - Reported favorably by Joint Committee on Labor and Workforce Development

#### **HB2098 - An Act relative to the criminal justice training regarding autistic persons**

Sponsor: Rep. Brodeur, Paul (D)

Summary: Adds a new §116F to GL 6 (The Governor, etc.) by requiring the Municipal Police Training Committee to establish within the recruit basic training curriculum a course for appropriate interactions with persons on the autism spectrum; requires the training presenters to always include autistic adults. (GL 6:116F already appears in the General Laws as "Harbormaster training council").

Progress:         Referred to Committee

Last Action: 04/20/16 - H - Attached to favorable report by Joint Committee of SB1311

#### **HB2107 - An Act to provide concurrent police authority for Massachusetts Port Authority properties**

Sponsor: Rep. Collins, Nicholas (D)

Summary: Amends outside section 110 of Chapter 205 of the Acts of 1996, that year's transportation bond issue, to authorize concurrent jurisdiction for a municipal police department with the state police for MassPort properties located within said municipality; exempts properties exclusive to aviation and port operations from such concurrent jurisdiction; requires a municipality to adopt such jurisdiction; directs that said municipality and MassPort execute a memorandum of understanding regarding concurrent jurisdiction; outlines several areas said memorandum should cover.

Progress:         Referred to Committee

Last Action: 04/20/16 - H - Accompanied study order

#### **HB2162 - Resolve providing for an investigation and study by a special commission relative to preparedness for natural disasters**

Sponsor: Rep. Naughton, Harold (D)

Summary: Establishes a special commission consisting of 13 members to investigate and study the commonwealth's preparedness for a natural disaster and recommend strategies and practices to minimize the risk of cyber attacks, utilities outages, and other public safety concerns that may arise during or as a result of a natural disaster as well as relief techniques. A report with recommendations and drafts of legislation is due to the legislature within 120 days of the first meeting of the commission. (No general or session laws cited).

Progress:         Referred to Committee

Last Action: 04/20/16 - H - Reported favorably by Joint Committee on Public Safety and Homeland Security

**HB2173 - Resolve providing for a study by a special commission relative to the primary prevention of gun violence**

Sponsor: Rep. Sanchez, Jeffrey (D)

Summary: Establishes a 3-year special commission consisting of 20 members to review and recommend programs and interventions to reduce gun violence and to make recommendations relating to improving research, education, relationships, services, and also reducing inequalities. The report to the legislature will be due within 30 days of dissolution of the commission.

Progress:  Referred to Committee

Last Action: 04/20/16 - H - Accompanied study order

**HB2192 - Resolve providing for a "Special Commission on Peace Officer Standards and Training" to study and make recommendations concerning the implementation of a Peace Officers Standards and Training (POST) system**

Sponsor: Rep. Vieira, David (R)

Summary: Establishes a Special Commission on Peace Officer Standards and Training (POST), as recommended by the Special Commission on Massachusetts Police Training, to study and make recommendations concerning the implementation of a POST system. The POST commission will consist of 25 members and recommend the structure of another commission, council or board on POST that would have the adequate authority to set standards through certification, licensing, etc. A report is due to the legislature within one year of enactment.

Progress:  Referred to Committee

Last Action: 04/21/16 - H - Referred to Joint Committee on Rules

**HB2198 - An Act relative to injured correctional officers**

Sponsor: Rep. Arciero, James (D)

Summary: Amends GL 126:18A to require that correction department employees who, while working, receive a bodily injury caused by any act of a patient or prisoner in custody, be paid the difference between any workman's compensation benefits and their weekly salary and any leave time as a result of such injury may not charged as sick time.

Progress:  Referred to Committee

Last Action: 11/30/15 - H - Referred to House Committee on Ways & Means

**HB2267 - An Act relative to restoration to service**

Sponsor: Rep. Decker, Marjorie (D)

Summary: Amends GL 32:8(2) to require the approval of the head of the department before a person on a disability pension can be returned to the position from which he retired.

Progress:  Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

**HB2272 (Chapter 151 of 2015) - An Act exempting Albert P. Manzi, III from the maximum age requirement for applying for civil service appointment as a police officer in the town of North Andover**

Sponsor: Rep. DiZoglio, Diana (D)

Summary: Exempts Albert P. Manzi, III of North Andover from the maximum age requirement for applying for civil service appointment as a police officer in the Town of North Andover, provided he meets all other requirements for certification and appointment to this position.

Progress:  Passed Into Law

Last Action: 12/11/15 - G - Signed by the Governor

**HB2273 - An Act exempting William Gregory Gordon from the maximum age requirement for applying for civil service appointment as a police officer in the town of North Andover**

Sponsor: Rep. DiZoglio, Diana (D)

Summary: Exempts William Gregory Gordon of North Andover from the maximum age requirement for applying for civil service appointment as a police officer in the Town of North Andover, provided he meets all other requirements for certification and appointment to this position.

Progress:  Ordered to 3rd Reading

Last Action: 04/12/16 - House Session (4/13/16 11:00 AM House Chamber)

### HB2275 - An Act relative to expenses incurred in defense against denials of Chapter 41:111F benefits

Sponsor: Rep. DiZoglio, Diana (D)

Summary: Amends GL 41:111F, the statute governing Leave with Pay for Incapacitated Employees of police and fire departments, to require reimbursement of an employee's legal expenses in the case of a successful challenge to the denial of such benefits by a city or town.

Progress:         Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB2286 - An Act relative to line-of-duty death and survivor benefits

Sponsor: Rep. Dwyer, James (D)

Summary: Amends GL 32:100A, the statute governing Killed in the Line of Duty Benefits, to increase the benefit from \$100,000 to \$250,000; amends GL 32:100, the statute governing Pensions to Surviving Spouses of Firefighters, Police Officers or Correctional Officers Killed in the Performance of their Duties, to require the pension benefits be equivalent to the full salary payable to a police officer or superior officer in the next grade-step, effective December 1, 2010.

Progress:         Referred to Committee

Last Action: 06/03/15 - H - Referred to House Committee on Ways & Means

### HB2287 - An Act relative to line-of-duty death benefits

Sponsor: Rep. Dwyer, James (D)

Summary: Amends GL 32:100A, the statute governing Killed in the Line of Duty Benefits, to increase the benefit from \$100,000 to \$250,000.

Progress:         Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB2291 - An Act defining performed services for correctional officers

Sponsor: Rep. Finn, Michael (D)

Summary: Amends GL 32:28N, the statute governing Retirement of County Correctional Officers, to include the time an employee was receiving workers compensation benefits in his creditable service for retirement purposes.

Progress:         Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB2303 - An Act regarding employees of the Department of Correction

Sponsor: Rep. Garry, Colleen (D)

Summary: Designates individuals serving as Captains within the Department of Correction since January 1, 2001 or earlier as permanent employees under civil service rules in said position. (No general or session laws cited).

Progress:         Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB2318 - An Act relative to increasing killed-in-line-of-duty benefits for public safety employees

Sponsor: Rep. Golden, Thomas (D)

Summary: Amends GL 32:100A, the statute governing killed-in-line of duty benefits, to increase said benefits for the eligible families of public employees killed in the line of duty to \$250,000.

Progress:         Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB2324 - An Act relative to residency

Sponsor: Rep. Heroux, Paul (D)

Summary: Prohibits requiring any members of a regular fire or police department, or fire alarm division, to reside within the limits of the city or town in which they work. No general or special law cited.

Progress:           Referred to Committee  
Last Action: 03/16/16 - H - Accompanied study order

#### HB2326 - An Act to clarify leave under Chapter 41:111F

Sponsor: Rep. Heroux, Paul (D)  
Summary: Amends GL 41:111F, the statute governing leave with pay for incapacitated employees of police and fire departments, to exempt such leave from the provisions of the Family Medical Leave Act.

Progress:           Referred to Committee  
Last Action: 03/16/16 - H - Accompanied study order

#### HB2328 - An Act relative to expenses incurred in defense against denials of Chapter 41:111F benefits

Sponsor: Rep. Heroux, Paul (D)  
Summary: Amends GL 41:111F, the statute governing Leave with Pay for Incapacitated Employees of police and fire departments, to require reimbursement of an employee's legal expenses in the case of a successful challenge to the denial of such benefits by a city or town.

Progress:           Referred to Committee  
Last Action: 03/16/16 - H - Accompanied study order

#### HB2415 - An Act relative to the Massachusetts state retirement system

Sponsor: Rep. Smola, Todd (R)  
Summary: Directs that all municipal Police Dispatchers and Dispatcher Supervisors will be granted Group 2 retirement status, even if they were previously switched into Group 1. (No general or session laws cited but clearly is in reference to GL 32:3).

Progress:           Referred to Committee  
Last Action: 04/14/16 - H - Referred to House Committee on Steering, Policy and Scheduling

#### HB2964 - An Act establishing a commission on police jurisdiction on Massachusetts Port Authority properties

Sponsor: Rep. Collins, Nicholas (D)  
Summary: Establishes a special commission consisting of 9 members to examine the feasibility of concurrent jurisdiction between the state police and municipal police on Massachusetts Port Authority properties on the waterfront. Assignment of police officers, first responders calls and dispatch, emergencies, criminal investigations, arrests, and traffic management should all be investigated. A report is due to the legislature by June 1, 2016.

Progress:           Referred to Committee  
Last Action: 03/16/16 - H - Accompanied study order

#### HB3022 - An Act relative to the display of motor vehicle number plates

Sponsor: Rep. Kafka, Louis (D)  
Summary: Amends GL 90:6, the statute governing the display of number plates, to only require one license plate to be shown in the rear of a car and allow a decorative plate to be placed in the front of the car.

Progress:           Referred to Committee  
Last Action: 03/16/16 - H - Accompanied study order

#### HB3047 - An Act relative to access to Registry of Motor Vehicle information

Sponsor: Rep. McMurtry, Paul (D)  
Summary: Amends GL 90 (Motor Vehicles and Aircraft) to require the Registrar of Motor Vehicles to make a person's driving records available online for informational purposes; requires that such records include any suspensions as well as any outstanding tickets or other citations issues to the driver; requires such records to be updated regularly.

Progress:           Referred to Committee  
Last Action: 03/16/16 - H - Accompanied study order

### HB3053 - An Act relative to Massachusetts drivers license information

Sponsor: Rep. Naughton, Harold (D)

Summary: Amends GL 90:8 by inserting language requiring the registrar of motor vehicles to collect the name of a person to be contacted in case of emergency for individuals issued a license who are over age 21, and the name of a next of kin or guardian for individuals issued a license who are under the age of 21.

Progress:         Referred to Committee

Last Action: 03/10/16 - H - Referred to House Committee on Ways & Means

### HB3453 - An Act prohibiting the obstruction of state highways

Sponsor: Rep. Timilty, Walter (D)

Summary: Adds new section 106 to GL Chapter 272 to provide for a maximum punishment of 10 years in state prison for anyone who commits any act to obstruct traffic, commerce, or emergency vehicles on a limited access or express state highway in a dangerous manner. This bill is a response to the protests that were held on I-93 in January 2015.

Progress:         Referred to Committee

Last Action: 03/16/16 - H - Extension order filed (until May 2, 2016)

### HB3480 - An Act relative to establishing an independent review board for police shootings

Sponsor: Rep. Gentile, Carmine (D)

Summary: Establishes, within the Executive Branch, an Independent Police Conduct Review Board. The Board is to hold such meetings and hearings as are necessary to accomplish its duties; 3 members will constitute a quorum. The board is to employ an Executive Director, at least 2 staff attorneys, and such investigators and support staff as are reasonably necessary to accomplish its duties. In addition, a separate new section requires every law enforcement agency to report any instance in which a member discharges a firearm and another person is shot to the Independent Police Conduct Review Board within 24 hours of the shooting, regardless of whether or not that person is killed or suffers serious bodily injury. A ruling by the Board that a member of a law enforcement agency acted unlawfully, engaged in misconduct, or otherwise acted inappropriately in an instance in which the member of a law enforcement agency discharged his or her firearm and another person was shot will result in termination of employment and a ban on employment with any law enforcement agency in the commonwealth for a period of no less than 10 years, and revocation of any license to carry a firearm, which will not be renewable for a period of no less than 10 years.

Progress:         Referred to Committee

Last Action: 04/20/16 - H - Accompanied study order

### HB3545 - An Act relative to the MassPort citizen advisory group

Sponsor: Rep. Timilty, Walter (D)

Summary: Amends Chapter 465 of the Acts of 1956 (An Act Establishing the Massachusetts Port Authority) to create the MassPort citizen advisory group to make policy recommendations to the Authority; provides that the Committee be comprised of a resident of each city or town served by the Authority, to be appointed by the chief executive officer of such municipality; sets forth procedures for the Committee to follow in the conduct of its meetings.

Progress:         Referred to Committee

Last Action: 03/16/16 - H - Accompanied study order

### HB3694 - An Act relative to the retirement classification of Boston school police officers

Sponsor: Rep. Cullinane, Daniel (D)

Summary: Amends GL 32:3, the statute governing membership of the state retirement system, to include Boston school police officers within Group 2.

Progress:         Ordered to 3rd Reading

Last Action: 04/12/16 - House Session (4/13/16 11:00 AM House Chamber)

### HB3798 (Chapter 136 of 2015) - An Act relative to the trafficking of fentanyl

Sponsor: House Bills in Third Reading

Summary: Amends GL 94C:32E (Controlled Substances Act) to impose a term of imprisonment in state

prison for not more than 20 years for the conviction of any person who traffics in more than 10 grams of Fentanyl. (This is a new draft of HB 3755. This new draft institutes mandatory minimums that increase with the amount of Fentanyl that is being trafficked and further provides that the act will not take effect until the impact on the community and the economy has been studied).

Progress:  Passed Into Law  
Last Action: 11/24/15 - G - Signed by the Governor

#### HB3907 - An Act to modernize municipal finance and government

Sponsor: Governor  
Summary: Part of the split-up provisions of the Governor's omnibus municipal finance reform package, these provisions, referred to the Joint Committee on Public Service would, among other things, repeal the requirement that a municipality be reimbursed in full, in the event a retired municipal employee or beneficiary receives healthcare premium contributions under circumstances in which a portion of the retiree's creditable service is attributable to service in another municipality; permit governmental units -- defined broadly to include any political subdivision of the Commonwealth and housing authorities, redevelopment authorities, regional councils of government, regional school districts and educational collaboratives -- to establish an OPEB trust fund that complies with the legal requirements for trusts and with GASB; extend existing exemptions from unemployment insurance benefits-which are applicable to school employees absent during sabbaticals and school vacations with a "reasonable assurance" of returning to work-to employees who provide services to or on behalf of schools, but are paid by municipalities; amend provisions related to unemployment to establish that the amount of benefits payable for any week that someone is receiving payments from a pension or other defined benefit plan is to be reduced to 65% of what would otherwise be due; and permit municipalities to exempt positions from civil service rules by vote of the governing body or executive, rather than through special legislation as is currently required.

Progress:  Referred to Committee  
Last Action: 04/13/16 - H - New draft substituted - see HB4207

#### HB4012 - An Act relative to special police officers in the town of Dracut

Sponsor: Rep. Garry, Colleen (D)  
Summary: Amends Chapter 48 of the Acts of 2010, "An Act Authorizing the Appointment of Special Police Officers in the Town of Dracut" by exempting such officers from the maximum age restriction applied to regular police officers and allowing them to serve until they reach the age of 68; further provides, that if the maximum age for regular officers is raised to 68, special police officers may serve until reaching the age of 70.

Progress:  Referred to Committee  
Last Action: 03/16/16 - H - Accompanied study order

#### SB16 (Chapter 4 of 2015) - An Act establishing a sick leave bank for Matthew Arpano, an employee of the Massachusetts Department of Correction

Sponsor: Senate Ways and Means  
Summary: Establishes a sick leave bank for Matthew Arpano, an employee of the Massachusetts Department of Correction; allows Department employees to contribute one or more sick, personal or vacation days to the sick leave bank. Whenever Arpano terminates employment with the Department, or requests to dissolve the sick leave bank, any remaining time in the sick leave bank must be transferred to the extended illness leave bank. Sick leave bank days may not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank in the first place. No general or session laws cited.(New draft of SB 12; makes grammatical changes.)

Progress:  Passed Into Law  
Last Action: 03/06/15 - G - Signed by the Governor

#### SB791 - An Act relative to mandatory sentences for those committing an assault on a law enforcement officer

Sponsor: Sen. deMacedo, Viriato (Vinny) (R)  
Summary: Adds new section 15D to GL Chapter 265 to direct that firing any kind of firearm at a police

officer on the job will be punished by at least 10 years with a possible life sentence in addition to a fine of up to \$150,000. Further prohibits said sentences to be suspended and prevents a prosecution from being continued without a finding or placed on file.

Progress:         Referred to Committee

Last Action: 04/04/16 - S - Accompanied study order

### SB839 - An Act strengthening punishment for heroin dealers

Sponsor: Former Sen. Hedlund, Robert (R)

Summary: Amends GL 94C:31, the statute classifying controlled substances, to remove heroin from Class A and reclassify it as a Class X drug. Adds new section 94C:32X to dictate that the sentence for possessing or otherwise manufacturing or dealing heroin will result in a prison term of 100 years. If the offense is not their first, the result will be a prison sentence between 200 and 300 years. Nobody guilty under this section will be eligible for parole.

Progress:         Referred to Committee

Last Action: 04/04/16 - S - Accompanied study order

### SB886 - An Act relative to indemnification of University of Massachusetts Police

Sponsor: Sen. Moore, Michael (D)

Summary: Amends GL 258:9A relative to actions against members of the police force to provide that the Commonwealth shall provide representation to the police department of the University of Massachusetts in the case of a claim for damages resulting from an intentional tort or violation of civil rights. Further provides that the Commonwealth shall indemnify the police department of the University of Massachusetts from all expenses in such a case. However, if the police department of Massachusetts acted in a willful, wanton, or malicious manner, it shall not be indemnified by the state. (The language is not entirely clear if this applies to solely the department as an entity and an argument could be made that the individual police officers of the department are not included in this legislation).

Progress:         Referred to Committee

Last Action: 03/21/16 - S - Referred to Senate Committee on Ways & Means

### SB904 - An Act to protect the commonwealth's residents from identity theft

Sponsor: Sen. Spilka, Karen (D)

Summary: Amends provisions of law relative to identity fraud, by creating new definitions of direct victim, indirect victim, identity theft passport, identity theft report, and law enforcement agency; establishes that a person who has learned, or reasonably suspects, that their identifying information has been unlawfully obtained or used by another, may initiate a law enforcement investigation by contacting the local law enforcement that has jurisdiction over the persons residence. A law enforcement officer will be required to accept an identity theft report from the victim and, if a suspect who lives somewhere else can be identified, notify law enforcement authorities in that jurisdiction. A law enforcement officer may arrest, without a warrant, any person the officer has probable cause to believe has committed the offense of identity fraud who is found in the Commonwealth. A victim may bring a civil action in the superior court of any county in which any part of the act took place, regardless of whether the person who committed the violation was ever physically present in that municipality, and the victim may seek an injunction or to recover \$5000 for each incident, or 3 times actual damages, whichever is greater; a civil action under this section does not depend on whether or not a criminal prosecution has been, or will be, instituted under this section for the acts which are the subject of the civil action. Separately the bill prohibits any person from knowingly, willfully, and with the intent to defraud, possess or use a scanning device to access, read, obtain, memorize or store, temporarily or permanently, information encoded on the magnetic strip or stripe of a payment card without the permission of the authorized user of the payment card, or to use a reencoder or a skimming device. The bill distinguishes between a direct victim, who is any person or entity whose identity has been compromised, and an indirect victim, which is a corporation or governmental unit that incurs loss or harm as a result of a crime, as well as family members, guardians, custodians of a minor, incompetent, incapacitated, or deceased persons.

Progress:         Referred to Committee

Last Action: 04/04/16 - S - Accompanied study order



Last Action: 04/04/16 - S - Accompanied study order

### SB956 - An Act establishing the refusal to provide certain records as an unfair labor practice

Sponsor: Sen. Brownsberger, William (D)

Summary: Amends GL 150A:4A, the statute governing unfair labor practices, to provide that failing to provide a member of a labor organization with records pertaining to that member will be considered an unfair labor practice if that individual was a member within the past ten years. Failure to maintain records will not be a defense.

Progress:        Referred to Committee

Last Action: 04/13/16 - S - Referred to Senate Committee on Rules

### SB984 - An Act preventing discrimination based on veteran's status

Sponsor: Sen. Joyce, Brian (D)

Summary: Amends GL 151B:4, the MCAD statute prohibiting various kinds of discrimination in housing and employment, by adding status as a veteran to the list of protected class categories, for which a person may not be discriminated against. (New draft of SB 1898.)

Progress:        Referred to Committee

Last Action: 04/13/16 - S - Referred to Senate Committee on Ways & Means

### SB1234 - An Act relative to military grade controlled property

Sponsor: Sen. Barrett, Michael (D)

Summary: Amends provisions of GL c.29 (State Finance) by making special provisions for the transfers of military-grade controlled property to local law enforcement agencies under the so-called "1033 Program." In particular, the bill provides that transfer of military grade controlled property or of federal funds or grant monies relating to military grade controlled property from a federal agency to a local law enforcement agency within the Commonwealth will be subject to the following requirements: (1) a local law enforcement agency seeking to apply for the transfer of military grade controlled property must provide notice to the local legislative body of any intended application, including a detailed list of supplies and equipment sought to be acquired; (2) the local legislative body must hold a public hearing regarding the prospective application, due notice of which must be advertised to the public, and must allow the public the opportunity to testify and comment at the hearing; (3) the local law enforcement agency must respond in writing to any questions and matters raised by officials and residents at such public hearing; (4) no local law enforcement agency may apply for the transfer of military grade controlled property without a prior public vote of approval by the local legislative body, which approval must describe the supplies and equipment to be sought with particularity; (5) all applications by local law enforcement agencies for the transfer of military grade controlled property must include documentation of legislative approval. (Please note that the "1033 Program" was created by the National Defense Authorization Act of Fiscal Year 1997 as part of the U.S. Government's Defense Logistics Agency Disposition Services to transfer excess military equipment to civilian law enforcement agencies. Questions have been raised about certain jurisdictions, mostly outside of the Commonwealth, getting and using military gear inappropriately in police actions, without the city, town or county in question ever having been informed.)

Progress:        Referred to Committee

Last Action: 04/20/16 - S - Accompanied study order

### SB1250 - An Act establishing regional lockup facilities

Sponsor: Sen. Donnelly, Kenneth (D)

Summary: Amends GLs 40:34, 35 and 36B to authorize any Sheriff to establish 1 or more regional lockup facilities within such Sheriff's county for detaining persons under arrest and a municipality may become a member of a county regional lock-up facility by executing, with the consent of the county commissioners, a written agreement with the Sheriff, setting forth details as to the transportation, booking, fees to be paid per prisoner and an indemnification agreement; and provides that the Sheriff be responsible for the appointment of the administrator of the lock-up facility who shall serve for such term as the Sheriff shall determine.

Progress:        Referred to Committee

Last Action: 01/28/16 - S - Referred to Senate Committee on Ways and Means

**SB1254 - Resolve establishing a special commission on prisoner and correctional officer suicides**

Sponsor: Sen. Eldridge, James (D)

Summary: Establishes a special commission consisting of 10 members to study the prevention of suicide among prisoners in correctional facilities; reviews the state of suicide prevention programs in correctional facilities and develops plans, recommendations for program changes, and recommends best practices for the purpose of attempting to reduce prisoner suicide or attempted suicide; outlines what the commission should examine, provide and recommend in regards to the prevention of prisoner suicide and attempted suicides.

Progress:  Referred to Committee

Last Action: 04/07/16 - S - Referred to Senate Committee on Ways & Means

**SB1261 - An Act relative to police pursuits in the Commonwealth**

Sponsor: Sen. Flanagan, Jennifer (D)

Summary: Amends GL 90:25 (Refusal to Submit to a Police Officer) to add the crime of refusing to stop for a pursuing police officer in an official vehicle while displaying lights and siren, punishable by a fine of not less than \$1,000 nor more than \$10,000 and imprisonment in State Prison for not less than two and a half years, nor more than five years, or both.

Progress:  Referred to Committee

Last Action: 04/20/16 - S - Accompanied study order

**SB1314 - An Act relative to uniform disciplinary procedures for correctional officers**

Sponsor: Sen. Timilty, James (D)

Summary: Inserts 125:22 into the GLs to require that a Correction Officer be informed in advance when that officer is under an investigation by his/her superior or employer and that the officer be allowed to have counsel or a collective bargaining unit representative present during any interrogation; requires that the interrogation be recorded, that the officer be allowed to make his/her own recording and that a copy or a transcript of the recording be provided; requires that if it is determined that the officer "may likely be charged" with a crime, the officer must be informed of all his or her constitutional rights before continuing with the interrogation and prohibits the use of evidence obtained in violation of this section or the officer's Constitutional rights during any disciplinary hearing for any judgment or disciplinary action (presumably, as if the officer were undergoing custodial interrogation by a police officer); and prohibits retaliation against any officer for having exercised rights granted by this section or any applicable collective bargaining agreement.

Progress:  Referred to Committee

Last Action: 03/16/16 - S - Referred to Senate Committee on Ways & Means

**SB1325 - An Act relative to the University of Massachusetts police**

Sponsor: Sen. Timilty, James (D)

Summary: Adds a number of provisions to various General and Special Law provisions which generally expand the authority of and benefits to the University of Massachusetts Police Department. These include defining UMass police officers as part of the definition of "police officer" in GI 7:4 relative to statutory interpretation; expanding the authority of UMass police officers to regulate traffic and enforce parking in and around campus property; by providing that all incumbent police officers previously appointed and currently employed will continue to serve in their respective offices or positions as non-civil service police officers in the UMass Police Department without impairment of their retirement, seniority, or other rights; by granting the same rights to UMass police officers relative to GL 41:111F with respect to leave with pay for incapacitated officers; and by allowing UMass police officers to benefit from certain other sections included in GL c.32 (State Pensions).

Progress:  Referred to Committee

Last Action: 03/16/16 - S - Referred to Senate Committee on Ways & Means

**SB1411 - An Act relative to MassPort officers**

Sponsor: Former Sen. Petrucci, Anthony (D)

Summary: Amends GL 32:3, the statute governing membership in the public employee retirement system, to include employees of the Massachusetts Port Authority who are employed as port officers

and supervisors of said employees, including port sergeants, lieutenants, captains, assistant chiefs, deputy chiefs and directors, as members of Group 4 of the retirement system.

Progress:           Referred to Committee

Last Action: 02/11/16 - S - Referred to Senate Committee on Ways & Means

#### SB1436 - An Act relative to funeral and burial expenses

Sponsor: Sen. Timilty, James (D)

Summary: Amends G.L. 41:100G, the statute governing Payment of Funeral and Burial Expenses of Police Officers and Firefighters Killed in the Line of Duty, to increase the ceiling for such payments from \$2,000 to \$7,500; authorizes payments up to \$7,500 for the funeral and burial expenses of recipients of the Killed-in-the-Line-of-Duty Benefits authorized by G.L. 32:100A.

Progress:           Referred to Committee

Last Action: 01/25/16 - S - Referred to Senate Committee on Ways & Means

#### SB1444 - An Act relative to retirement systems and pensions for correctional officers

Sponsor: Sen. Welch, James (D)

Summary: Amends GL 32:94, the statute governing impairment of health caused by hypertension or heart disease, to assume that such condition is suffered in the line of duty when any correctional officer whose duties simply require regular contact with (rather than care, supervision, or custody of) prisoners, criminally insane persons, or defective delinquents is diagnosed with such condition after previously passing a physical examination that failed to reveal any evidence of the condition.

Progress:           Referred to Committee

Last Action: 02/22/16 - S - Referred to Joint Committee on Health Care Financing

#### SB1904 - An Act relative to drivers license information

Sponsor: Sen. Timilty, James (D)

Summary: Requires the Registrar of Motor Vehicles to collect the following information from the following person: from persons 21 years of age or older, the name and contact information of a person to be contacted in case of any emergency; from persons under 21 years of age, the name and contact information of next of kin, or if there is no next of kin a person standing in place of a next of kin.

Progress:           Referred to Committee

Last Action: 03/10/16 - S - Referred to Senate Committee on Ways & Means

#### SB2045 - An Act relative to the retirement of University of Massachusetts police

Sponsor: Joint Committee on Public Service

Summary: Adds a number of provisions to various General and Special Law provisions which generally expand the authority of and benefits to the University of Massachusetts Police Department. These include defining UMass police officers as part of the definition of "police officer" in GL 7:4 relative to statutory interpretation; expanding the authority of UMass police officers to regulate traffic and enforce parking in and around campus property; by providing that all incumbent police officers previously appointed and currently employed will continue to serve in their respective offices or positions as non-civil service police officers in the UMass Police Department without impairment of their retirement, seniority, or other rights; by granting the same rights to UMass police officers relative to GL 41:111F with respect to leave with pay for incapacitated officers; and by allowing UMass police officers to benefit from certain other sections included in GL c.32. (Although technically a new draft of SB1404, this bill is almost identical to the text of SB1325, An Act relative to the University of Massachusetts police.)

Progress:           Filed

Last Action: 11/05/15 - S - Referred to Senate Committee on Ways & Means