HOUSE DOCKET, NO. 1658 FILED ON: 1/20/2011

HOUSE . . . . . No. 1740

The Commonwealth of Massachusetts

PRESENTED BY:

Paul J. Donato and Patricia D. Jehlen

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:

An Act to provide for the public inspection of records made or received by special state police officers at educational institutions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Paul J. Donato	*35th Middlesex*
Patricia D. Jehlen	☐ *[District]* ☐
Sean Garballey	*23rd Middlesex*
Antonio F. D. Cabral	*13th Bristol*
Kevin G. Honan	*17th Suffolk*
Kay Khan	*11th Middlesex*
Brian A. Joyce	*Norfolk, Bristol, and Plymouth*

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By Representative Donato of Medford and Senator Jehlen, a joint petition (accompanied by bill, House, No. 1740) of Paul J. Donato and others for legislation to designate certain law enforcement records as public records. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *2487* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act to provide for the public inspection of records made or received by special state police officers at educational institutions.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 63 of chapter 22C of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding at the end thereof the following paragraph:—

All records, reports or other documentary materials or data made or received for the purpose of law enforcement by a special state police officer of a college, university or other educational institution, appointed pursuant to this section, shall be public records unless such records fall within 1 or more of the exemptions in clause 26th of section 7 of chapter 4 or are education records as defined in 20 U.S.C. § 1232g (a)(4). Such public records shall be kept and maintained in the custody of the law enforcement unit of such college, university, or other educational institution.

SECTION 2. Section 1 of chapter 66 of the General Laws, as so appearing, is hereby amended by inserting after the word “necessary.”, in line 9, the following:— He shall see that the public records made or maintained by an employee of a college, university or other educational institution, appointed as a special state police officer pursuant to section 63 of chapter 22C, are kept in the custody and condition required by the laws relating to such special state police officers so appointed.

16 SECTION 3. Subsection (a) of section 10 of said chapter 66, as so appearing, is hereby
17 amended by inserting after the word “four”, in line 2, the following words:— or section 63 of
18 chapter 22C

19 SECTION 4. Said Subsection (a) of section 10 of said chapter 66, as so appearing, is
20 hereby further amended by inserting after the word “police”, in line 11, the first time it appears,
21 the following words:— , law enforcement records of special state police officers of a college,
22 university or other educational institution, appointed pursuant to section 63 of chapter 22C.