

SENATE No. 2307

The Commonwealth of Massachusetts

SENATE, MAY 21, 1985.

The committee on Public Safety, to whom was referred the petition (accompanied by bill, Senate, No. 401) of Martin T. Reilly and John P. Burke for legislation to authorize Alcoholic Beverages Control Commission investigators to exercise police powers; and the petition (accompanied by bill, Senate, No. 1852) of William R. Keating for legislation relative to authorizing investigators of the Alcoholic Beverages Control Commission to exercise police powers; reports the accompanying bill (Senate, No. 2307).

For the Committee

WILLIAM R. KEATING

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-five.

AN ACT AUTHORIZING ALCOHOLIC BEVERAGE CONTROL COMMISSION INVESTIGATORS TO EXERCISE POLICE POWERS.

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 138 of the General Laws is hereby
2 amended by inserting after section 56 the following section: —
3 56A. All investigators of the Commission shall have and ex-
4 ercise throughout the Commonwealth the same power to make
5 arrests and serve warrants as the State Police for any criminal
6 violation of this chapter, for any criminal violation of the laws
7 of the Commonwealth upon a licensed premises, or for any
8 criminal violation of the laws of the Commonwealth commit-
9 ted in his presence while in the official performance of his
10 duties; provided, however, that no such investigator shall have
11 the power to carry firearms; and provided further no such in-
12 vestigator shall exercise any powers of police officers until
13 such person has satisfactorily completed a course of study
14 lasting at least six weeks at a police training school approved
15 by the municipal police training council as provided in sec-
16 tion one hundred and eighteen of chapter six or an equivalent
17 course of study as determined by the Commission or has a
18 minimum of ten continuous years of service in a state or local
19 police department.

1 SECTION 2. Section 63A of said chapter 138 as most recent-
2 ly amended by section 16 of chapter 542 of the acts of 1943 is
3 hereby further amended by adding the following sentence: —
4 Any authorized investigator of the commission or any in-
5 vestigator, inspector, or any other authorized agent of local
6 licensing authorities may arrest without warrant any person
7 who violates this section in his presence.