HOUSE DOCKET, NO. 2159 FILED ON: 1/17/2013

HOUSE . . . . . No. 1490

The Commonwealth of Massachusetts

PRESENTED BY:

Brian R. Mannal

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 relative to the use of global position devices for certain sex offender parolees and probationers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brian R. Mannal	*2nd Barnstable*
Kay Khan	*11th Middlesex*

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HOUSE . . . . . No. 1490

By Mr. Mannal of Barnstable, a petition (accompanied by bill, House, No. 1490) of Brian R. Mannal and Kay Khan relative to the use of global position devices for certain sex offender who are paroled or on probation. The Judiciary.

The Commonwealth of Massachusetts

An Act relative to the use of global position devices for certain sex offender parolees and probationers.

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 133D½ of chapter 127 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 5, the words, "shall as a requirement of such parole", and inserting in place thereof the following:-

"may be required to

Said section is hereby further amended by striking out, in line 6, the words, "at all times for", and inserting in place thereof the following:-

for all or any portion of

Said section is hereby further amended by striking out, in line 7, the word, "shall", and inserting in place thereof the following:-

may

SECTION 2. Section 47 of chapter 265 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting in line 4 after the word, "shall", the following:-

if ordered by the sentencing court

Said section is hereby further amended by striking out, in line 6, the words, "at all times for", and inserting in place thereof the following:-

for all or any portion of

Said section is hereby further amended by striking out, in line 8, the word, "shall", and inserting in place thereof the following:-

19 may

20 And, said section is hereby further amended by inserting, in line 7, after the words, “any
21 such offense.”, the following:-

22 The sentencing court shall take into account information presented by the prosecutor,
23 defendant and probation department, which may include evidence-based risk assessment.