SENATE DOCKET, NO. 1347 FILED ON: 1/21/2011

SENATE . . . . . No. 739

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia S. Creem

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 regarding disposition of certain criminal offenses as civil infractions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cynthia S. Creem	
	☐ *[District]*
	☐

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SENATE . . . . . No. 739

By Ms. Creem, a petition (accompanied by bill, Senate, No. 739) of Cynthia S. Creem for legislation relative to the disposition of certain criminal offenses as civil infractions. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1635* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act regarding disposition of certain criminal offenses as civil infractions.

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 70C of chapter 277 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in line 4, the word “treat” and inserting in place thereof the following words:- “dispose of”.

SECTION 2. Said section 70C of chapter 277 of the General Laws, as so appearing, is hereby further amended by inserting after the word “infraction” in line 6 the following words:- “upon the defendant’s plea of responsible to such civil infraction”.

SECTION 3. Said section 70C of chapter 277 of the General Laws, as so appearing, is hereby further amended by striking out, in lines 16 and 17, the words “upon such finding by the court”.

SECTION 4. Said section 70C of chapter 277 of the General Laws, as so appearing, is hereby further amended by striking out, in line 22, the word “treated” and inserting in place thereof the following words:- “disposed of”.

SECTION 5. Said section 70C of chapter 277 of the General Laws, as so appearing, is hereby further amended by striking out, in line 25, the words “a fine” and inserting in place thereof the following words:- “a civil assessment”.

16 SECTION 6. Said section 70C of chapter 277 of the General Laws, as so
17 appearing, is hereby further amended by adding the following paragraph:-

18 If the defendant fails to pay such civil assessment or restitution, the court may
19 revoke the disposition of the violation as a civil assessment, reinstate it as a criminal charge, and
20 issue a summons or warrant as necessary to bring the defendant before the court.