SENATE DOCKET, NO. 138 FILED ON: 1/18/2011

SENATE . . . . . No. 812

The Commonwealth of Massachusetts

PRESENTED BY:

Michael R. Knapik

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 eliminating presumed personal recognizance for certain defendants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael R. Knapik	☐ *[District]* ☐
Daniel B. Winslow	*9th Norfolk*
Bruce E. Tarr	☐ *[District]* ☐

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SENATE . . . . . No. 812

By Mr. Knapik, a petition (accompanied by bill, Senate, No. 812) of Michael R. Knapik, Daniel B. Winslow and Bruce E. Tarr for legislation to eliminate presumed personal recognizance for certain defendants. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1727* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to eliminating presumed personal recognizance for certain defendants.

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 58 of chapter 276 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word “court”, in line 13, the following sentence:- It shall be presumed that any person who has been admitted to bail on an offense and released, and failed on one or more occasion to appear at any court proceeding relating to that offense, without sufficient excuse, will not appear before the court if admitted to bail on personal recognizance without surety.

SECTION 2. Section 58 of Chapter 276 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by inserting after the word “hours”, in line 60, the following sentence:- Said fees collected from the defendant, whom has failed to appear on the date specified before the court, shall be administered to the town in which the said offense occurred.