SENATE DOCKET, NO. 368 FILED ON: 1/16/2013

SENATE . . . . . No. 31

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

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 children who are the subject of an abuse and neglect investigation .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	*Second Middlesex and Norfolk*
Paul J. Donato	*35th Middlesex*
Ann-Margaret Ferrante	*5th Essex*
Jennifer L. Flanagan	*Worcester and Middlesex*
Anne M. Gobi	*5th Worcester*
Thomas M. Stanley	*9th Middlesex*
Sal N. DiDomenico	*Middlesex and Suffolk*
Benjamin Swan	*11th Hampden*
Gale D. Candaras	*First Hampden and Hampshire*
Bruce E. Tarr	*First Essex and Middlesex*

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By Ms. Spilka, a petition (accompanied by bill, Senate, No. 31) of Karen E. Spilka, Paul J. Donato, Ann-Margaret Ferrante, Jennifer L. Flanagan and other members of the General Court for legislation relative to children who are the subject of an abuse and neglect investigation. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

An Act relative to children who are the subject of an abuse and neglect investigation .

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 24 of Chapter 119 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended at the end thereof by inserting the following paragraph:-

"No child entering the foster care system through a substantiated report of section 51A of this chapter shall receive a probation officer to investigate them, their foster home setting or the claims in the 51A report. The identity and record of any child that enters the foster care system through a substantiated 51A report, shall not be submitted to the criminal history system board, criminal offender record information system, court activity record index or any other criminal record information system and any child whose name has been entered into these court systems shall have their records expunged.".

SECTION 2. Section 51B(c) of said Chapter 119, as so appearing, is hereby further amended, at the end of line 32, by inserting the following words:- "No child place in immediate temporary custody shall receive a probation officer to investigate the child, their foster home setting or the claims of a 51A report. The identity and record of any child shall not be submitted to the criminal history system board, criminal offender record information system, court activity record index or any other criminal record information system and any child whose name has been entered into these court systems shall have their records expunged.".