

**HOUSE . . . . . No. 4620**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Elizabeth Poirier**

*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 bill:

An Act authorizing sheriffs to impose fines.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Elizabeth Poirier	14th Bristol
Bradley H. Jones, Jr.	20th Middlesex
George N. Peterson, Jr.	9th Worcester
F. Jay Barrows	1st Bristol
Robert S. Hargraves	1st Middlesex
Paul K. Frost	7th Worcester
Bradford R. Hill	4th Essex
Susan Williams Gifford	2nd Plymouth
Viriato Manuel deMacedo	1st Plymouth
Richard J. Ross	9th Norfolk
Jeffrey Davis Perry	5th Barnstable
Stephen L. DiNatale	3rd Worcester

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT AUTHORIZING SHERIFFS TO IMPOSE FINES.

*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 127 of the General Laws, as appearing in the 2006 Official Edition, is hereby  
2 amended by inserting, after section 48A, the following section:-

3 Section 48B. The commissioner and the sheriffs for the various counties may institute a schedule of fees  
4 and assess said fees to inmates in their custody as follows:-

- 5 1. A daily cost of custodial care fee not to exceed \$5;
- 6 2. A medical sick call visit fee not related to a condition pre-existing at the time of incarceration  
7 not to exceed \$5;
- 8 3. A dental sick call visit fee not to exceed \$5;
- 9 4. A pair of prescription eyeglasses fee not to exceed \$5;
- 10 5. A pharmacy prescription fee not to exceed \$3 per prescription.

11 Any penal facility assessing fees shall establish a procedure for inmates to appeal any such assessment.

12 Notwithstanding the above, the following services shall be exempt from fee assessment: admission health  
13 screening, 14 day health assessment, emergency health care, hospitalization or infirmary care, prenatal  
14 care, lab and diagnostic care, follow-up visits approved by health services, contagious disease care and  
15 chronic disease care.

16 No inmate shall be denied access to medical or dental care because of an inability to pay any fee. Indigent  
17 inmates shall have the above fees and costs assessed and debited against the inmate's money account  
18 which, if not paid, shall remain due and payable as a charge to the inmate after his release from custody.  
19 If the inmate is not incarcerated within 2 years of his release from custody, this debt shall be forgiven.

20 This section shall not apply to federal inmates, detainees or regional lock-up inmates. The commissioner  
21 and the sheriffs of the various counties shall promulgate rules and regulations for the implementation of  
22 this section.