HOUSE DOCKET, NO. 1682 FILED ON: 1/15/2015

HOUSE . . . . . No. 3258

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Vega

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 adoption of the accompanying bill:

An Act providing support to local municipalities and their police departments.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Aaron Vega	*5th Hampden*
Frank A. Moran	*17th Essex*
Colleen M. Garry	*36th Middlesex*
Stephen L. DiNatale	*3rd Worcester*
Richard J. Ross	*Norfolk, Bristol and Middlesex*
Carlos Gonzalez	*10th Hampden*

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HOUSE . . . . . No. 3258

By Mr. Vega of Holyoke, a petition (accompanied by bill, House, No. 3258) of Aaron Vega and others for legislation to provide for an assessment against certain persons convicted of misdemeanors to be used to establish a police career incentive trust fund. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act providing support to local municipalities and their police departments.

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. Chapter 29 of the General Laws is hereby amended by inserting after section 2QQQQ, as appearing in section 14 of chapter 359 of the acts of 2014, the following section:-

Section 2RRRR. There shall be established and set upon the books of the commonwealth a separate fund to be known as the Police Career Incentive Trust Fund. The fund shall be credited with all revenues collected from the assessments imposed by section 6D of chapter 280 and any monies credited to or transferred to the fund from any other fund or source. The fund shall be administered by the state treasurer and shall be used to reimburse cities and towns pursuant to the fifth paragraph of section 198L of chapter 41.

SECTION 2. Section 108L of chapter 41 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word “commonwealth”, in line 30, the following words:- , through the Police Career Incentive Trust Fund,.

13 SECTION 3. Chapter 280 of the General Laws is hereby amended by inserting after
14 section 6C the following section:-

15 Section 6D. The court shall impose an assessment of not less than $50 dollars nor more
16 than $250 dollars against any person who has attained the age of 18 years and who is convicted
17 of a misdemeanor or against whom a finding of sufficient facts for a conviction is made on a
18 complaint charging a misdemeanor under section 13D of chapter 265 or section 32B of chapter
19 268. In the discretion of the court, any assessment imposed pursuant to this section which would
20 cause the person against whom the assessment is made a severe financial hardship may be
21 reduced or waived.

22 All assessments made shall be collected by the court and shall be transmitted monthly to
23 the state treasurer. The assessment from any conviction which is subsequently overturned on
24 appeal shall be refunded by the court to the person whose conviction is overturned and the court
25 shall deduct such funds from the assessments transmitted to the state treasurer. Assessments
26 pursuant to this section shall be in addition to any other fines or restitution imposed in any
27 disposition.

28 All assessments shall be deposited in the Police Career Incentive Trust Fund established
29 by section 2RRRR of chapter 29.