

SENATE No. 748

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the civil commitment for alcoholism or substance abuse at certain facilities..

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. Section 7 of Chapter 111B of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by striking out, in lines 26 – 29, the words, “or if any such
3 person is committed for rehabilitative purposes to the Massachusetts correctional institution,
4 Bridgewater or to the Massachusetts correctional institution, Framingham, he shall be required to
5 remain for a period of not less than ten days.”

6 SECTION 2. Section 7 of Chapter 111B of the General Laws, as appearing in the 2006
7 Official Edition, is hereby amended by adding at the end thereof the following: The department
8 shall ensure that no one is committed to the Massachusetts correctional institutions at
9 Bridgewater and Framingham for rehabilitative purposes, pursuant to this section or pursuant to
10 section 35 of chapter 123 of the General Laws.

11 SECTION 3. Section 35 of Chapter 123 of the General Laws as appearing in the 2006
12 Official Edition, is hereby amended by inserting after the word “psychologist,” in line 33, the
13 following words:- The person shall be assessed using a standardized evaluation tool to be created
14 by the Department of Mental Health in collaboration with the Department of Public Health.

15 SECTION 4. Said Section 35 of Chapter 123 of the General Laws as so appearing in the
16 2006 Official Edition, is hereby amended by striking out in lines 41 – 49 the words “The person
17 may be committed to the Massachusetts correctional institution at Bridgewater, if a male, or at
18 Framingham, if a female, provided that there are not suitable facilities available under chapter
19 one hundred and eleven B; and provided, further that the person so committed shall be housed
20 and treated separately from convicted criminals. A person so committed may be released prior to
21 the expiration of the period of commitment upon determination by the superintendent that release
22 of said person will not result in a likelihood of serious harm.”

23 SECTION 5. Said Section 35 of Chapter 123 of the General Laws, as appearing in the
24 2006 Official Edition, is hereby further amended by striking out in lines 58 - 60 the words
25 “including the separated facilities at the Massachusetts correctional institutions at Bridgewater
26 and Framingham.”

27 SECTION 6. Notwithstanding any General or Special laws to the contrary the
28 Department of Mental Health in collaboration with the Department of Public Health shall study
29 and report to the Committee on Mental Health and Substance Abuse and the Committee on
30 Public Health the budgetary needs required to provide enough secure treatment beds to meet the
31 requirements of this section by December 31, 2010. The report shall include immediate
32 budgetary needs for fiscal year 2011 and projected annual expenditure requirements through
33 fiscal year 2016.