

HOUSE No. 449

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

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 relative to global positioning devices for certain sex offender parolees and probationers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/19/2011</i>
<i>Jennifer L. Flanagan</i>		<i>2/3/2011</i>

HOUSE No. 449

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 449) of Kay Khan and Jennifer L. Flanagan relative to the use of global positioning devices for certain sex offender parolees and probationers. The Judiciary.

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
—————

An Act relative to global positioning devices for certain sex offender parolees and probationers.

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 133D½ of chapter 127 of the General Laws, as appearing in the 2008
2 Official Edition, is hereby amended by striking out, in line 5, the words “shall as a requirement
3 of such parole” and inserting in place thereof the following:-

4 “may be required to”

5 Said section is further amended by striking out, in line 6, the words “at all times for” and
6 inserting in place thereof the following:-

7 “for all or any portion of”

8 Said section is further amended by striking out, in line 7, the word “shall” and inserting in
9 place thereof the following:-

10 “may”

11 Section 2. Section 47 of chapter 265 of the General Laws, as appearing in the 2008
12 Official Edition, is hereby amended by inserting in line 4 after the word “shall,” the following:-

13 “if ordered by the sentencing court”

14 Said section is further amended by striking out, in line 6, the words “at all times for” and
15 inserting in place thereof the following:-

16 “for all or any portion of”

17 Said section is further amended by striking out, in line 8, the word “shall” and inserting in
18 place thereof the following:-

19 “may”

20 Said section is further amended by inserting, in line 7, after the words “any such offense.”
21 the following:-

22 “The sentencing court shall take into account information presented by the prosecutor,
23 defendant and probation department, which may include evidence-based risk assessment.”