

**SENATE . . . . . No. 31**

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**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 adoption of the accompanying bill:

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

PETITION OF:

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

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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.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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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:*

1           SECTION 1. Section 24 of Chapter 119 of the General Laws, as appearing in the 2010  
2 Official Edition, is hereby amended at the end thereof by inserting the following paragraph:-

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

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