HOUSE DOCKET, NO. 2167 FILED ON: 1/15/2015

HOUSE . . . . . No. 1211

The Commonwealth of Massachusetts

PRESENTED BY:

Antonio F. D. Cabral

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 to fund youth courts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Antonio F. D. Cabral	*13th Bristol*
RoseLee Vincent	*16th Suffolk*

HOUSE DOCKET, NO. 2167 FILED ON: 1/15/2015

HOUSE . . . . . No. 1211

By Mr. Cabral of New Bedford, a petition (accompanied by bill, House, No. 1211) of Antonio F. D. Cabral and RoseLee Vincent for legislation to fund youth courts. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1240* OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act to fund youth courts.

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, as appearing in the 2012 official edition, is hereby amended by adding after section 2EEEE the following: -

Section 2FFFF. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Youth Court Fund. The fund shall be credited the portion of any proceeds received by the Commonwealth pursuant to section 6D of chapter 280 of the General Laws and shall be administered in accordance therewith by the secretary of public safety and shall not be subject to further appropriation. The state treasurer shall be treasurer and custodian of the fund, shall have the custody of its moneys and shall disperse the moneys according to the request of the secretary of public safety and security. Moneys deposited in the

11 fund shall be used solely for the administration of the provisions of section 6D of said chapter
12 280.

13 SECTION 2.

14 Chapter 280 of the general laws, as appearing in the 2012 Official Edition, is hereby
15 amended by adding after section 6C the following:-

16 SECTION 6D. (a) Notwithstanding section 6 of chapter 280 to the contrary, the district
17 attorneys in the districts set forth in section 13 of chapter 12 of the general laws may request that
18 a justice adopt and incorporate by reference the assessment provided in subsection (c) as a
19 penalty for a crime. Assessments collected by a clerk of the district or superior court pursuant to
20 this section shall be deposited in the Youth Court Fund, pursuant to section 2FFFF of chapter 29
21 of the General Laws, for the purpose of providing grants to subsidize the operation and
22 administration of youth courts, as provided in this section; provided, however, that moneys
23 collected pursuant to this subsection in excess of $2,000,000 per year shall be deposited in the
24 general fund, pursuant to section 8 of this chapter.

25 (b) For the purposes of this section, "Youth Court" means any administrative forum,
26 organized as a non-profit entity, whereby first-time juvenile offenders that have committed
27 misdemeanor crimes are given sanctions based on the recommendation of similarly aged
28 volunteers.

29 (c) A justice of a district or superior court may, at the request of a district attorney,
30 impose a sum of up to $5 to be paid by every person who pleads guilty or nolo contendre to or is
31 convicted of a violation of a criminal statute or who pays a fine or civil penalty for any violation

32 of chapters 85, 89 or 90. The assessment shall be in addition to any fine, civil penalty or other
33 court cost.

34 (d) A youth court that receives grants established by this section must account for all
35 funds by providing an annual report to the secretary of public safety and security that documents
36 all moneys received by the youth court and all payments made by the youth court and provides
37 any additional information the secretary may request. Such annual reports shall also be filed as
38 public records with the clerk of any district or superior court where a justice has imposed the
39 assessment provided in subsection (c) no later than August 1 of each year that a court shall
40 impose the assessment provided in subsection (c).

41 (e) The secretary of public safety and security is hereby granted the authority to
42 administer the youth court fund established pursuant to 2FFFF of chapter 29 for the purpose of
43 making grants to youth court programs. Such grants shall be made on an annual basis to youth
44 court programs, at the discretion of the secretary, pursuant to subsection (b) of this section;
45 provided, however, that (i) the secretary shall give priority to youth courts that have received a
46 recommendation from the district attorneys in the districts set forth in section 13 of chapter 12 of
47 the General Laws.; (ii) and the secretary shall give priority to youth court programs that have
48 made use of other grant programs.