

**SENATE . . . . . No. 774**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Cynthia S. Creem*

*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 regarding disposition of certain criminal offenses as civil infractions.

PETITION OF:

NAME:

*Cynthia S. Creem*

DISTRICT/ADDRESS:

*First Middlesex and Norfolk*

**SENATE . . . . . No. 774**

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By Ms. Creem, a petition (accompanied by bill, Senate, No. 774) of Cynthia S. Creem for legislation relative to the disposition of certain criminal offenses as civil infractions. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 676 OF 2013-2014.]

**The Commonwealth of Massachusetts**

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

An Act regarding disposition of certain criminal offenses as civil infractions.

*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 70C of chapter 277 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by striking out, in line 4, the word “treat” and inserting in  
3 place thereof the following words:- “dispose of”.

4           SECTION 2. Said section 70C of chapter 277 of the General Laws, as so appearing, is  
5 hereby further amended by inserting after the word “infraction” in lines 5 and 6 the following  
6 words:- “upon the defendant’s plea of responsible to such civil infraction”.

7           SECTION 3. Said section 70C of chapter 277 of the General Laws, as so appearing, is  
8 hereby further amended by striking out, in line 17, the words “upon such finding by the court”.

9           SECTION 4. Said section 70C of chapter 277 of the General Laws, as so appearing, is  
10 hereby further amended by striking out, in line 23, the word “treated” and inserting in place  
11 thereof the following words:- “disposed of”.

12           SECTION 5. Said section 70C of chapter 277 of the General Laws, as so appearing, is  
13 hereby further amended by striking out, in line 26, the words “a fine” and inserting in place  
14 thereof the following words:- “a civil assessment”.

15           SECTION 6. Said section 70C of chapter 277 of the General Laws, as so appearing, is  
16 hereby further amended by adding the following paragraph:-

17           If the defendant fails to pay such civil assessment or restitution, the court may revoke the  
18 disposition of the violation as a civil assessment, reinstate it as a criminal charge, and issue a  
19 summons or warrant as necessary to bring the defendant before the court.