

HOUSE No. 2313

The Commonwealth of Massachusetts

PRESENTED BY:

Kevin J. Kuros and James J. Lyons, Jr.

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 weekend commitment orders for substance abusers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>1/20/2017</i>
<i>James J. Lyons, Jr.</i>	<i>18th Essex</i>	<i>2/3/2017</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/2/2017</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	
<i>Hannah Kane</i>	<i>11th Worcester</i>	
<i>Paul K. Frost</i>	<i>7th Worcester</i>	
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	

HOUSE No. 2313

By Messrs. Kuros of Uxbridge and Lyons of Andover, a petition (accompanied by bill, House, No. 2313) of Kevin J. Kuros and others relative to the commitment of alcoholics or substance abusers during court closures. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to weekend commitment orders for substance abusers.

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 35 of Chapter 123 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting at the end thereof the following new section:-

3 When the court is closed for business any justice of the superior, probate, district or
4 Boston municipal court departments may grant an order of commitment provided under this
5 section if there is a likelihood of serious harm as a result of the person's alcoholism or substance
6 abuse. In the discretion of the justice, a warrant of apprehension may be issued for such person
7 and an arrest may be made on said warrant, and the person may be placed in protective custody
8 until the person may be presented before a justice of the superior, probate, district or Boston
9 municipal court. Such warrant may be granted and communicated by telephone to an officer or
10 employee of an appropriate law enforcement agency, who shall record such order on a form of
11 order promulgated for such use by the chief justice of the trial court and shall deliver a copy of

12 such order on the next court day to the clerk-magistrate of the court having venue and
13 jurisdiction over the matter.

14 Any order issued under this section and any documentation in support thereof shall be
15 certified on the next court day by the clerk-magistrate or register of the court issuing such order
16 to the court having venue and jurisdiction over the matter. Such certification to the court shall
17 have the effect of commencing proceedings under this chapter and invoking the other provisions
18 of this chapter but shall not be deemed necessary for an emergency order issued under this
19 section to take effect.