HOUSE DOCKET, NO. 1906 FILED ON: 1/19/2017

HOUSE . . . . . No. 3036

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas J. Calter

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 civil commitment for alcohol and substance abuse treatment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Thomas J. Calter	*12th Plymouth*	*1/19/2017*
Josh S. Cutler	*6th Plymouth*	*1/24/2017*
Viriato M. deMacedo	*Plymouth and Barnstable*	*2/1/2017*
Colleen M. Garry	*36th Middlesex*	*2/2/2017*
Mathew Muratore	*1st Plymouth*	*1/23/2017*
Bruce E. Tarr	*First Essex and Middlesex*	*2/3/2017*
Timothy R. Whelan	*1st Barnstable*	*3/16/2017*

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By Mr. Calter of Kingston, a petition (accompanied by bill, House, No. 3036) of Thomas J. Calter and others relative to civil commitment proceedings for alcohol and substance abuse treatment. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to civil commitment for alcohol and substance abuse treatment.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The third paragraph of section 35 of chapter 123 of the General Laws, as amended by section 40 of chapter 52 of the acts of 2016, is hereby amended by striking out the third, fourth and fifth sentences, inclusive, and inserting in place thereof the following 3 sentences:- In the event of the person's failure to appear at the time summoned, the court may issue a warrant for the person's arrest; provided, that upon information from the petitioner regarding the whereabouts of such person, the court may issue the warrant in any city or town in the commonwealth. Upon presentation of such a petition, if there are reasonable grounds to believe that such person will not appear and that any further delay in the proceedings would present an immediate danger to the physical well-being of the respondent, said court may issue a warrant for the apprehension and appearance of such person before it. If such person is not immediately presented before a judge of the district court, the warrant shall continue day after day for up to 5 consecutive days, excluding Saturdays, Sundays and legal holidays, or until such time as the person is presented to the court, whichever is sooner; provided, however that an arrest on such

warrant shall not be made unless the person may be presented within 24 hours before a judge of the district court.