

**HOUSE . . . . . No. 3036**

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

**HOUSE . . . . . No. 3036**

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:*

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

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