

HOUSE No. 1473

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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 expungement of certain civil court orders obtained through intentionally false allegations.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------|----------------------|------------------|
| <i>Louis L. Kafka</i> | <i>8th Norfolk</i> | <i>1/16/2019</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> | <i>1/30/2019</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>2/1/2019</i> |

HOUSE No. 1473

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 1473) of Louis L. Kafka, Michelle M. DuBois and James K. Hawkins relative to expungement of certain civil court orders obtained through intentionally false allegations. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to expungement of certain civil court orders obtained through intentionally false allegations.

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 7 of chapter 188 of the acts of 1992, as amended by section 16 of chapter 298 of
2 the acts of 1996, is hereby further amended by adding the following paragraph:-

3 A court may order the expungement of a record maintained pursuant to this section
4 resulting from the issuance of an order pursuant to chapter 209A of the General Laws if the court
5 determines based on clear and convincing evidence that the order pursuant to said chapter 209A
6 was issued as a result of an intentionally false allegation made by the person who filed the
7 complaint pursuant to said chapter 209A or that person's legal representative.