

HOUSE No. 3378

The Commonwealth of Massachusetts

PRESENTED BY:

Elizabeth A. Malia

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 providing easier and greater access to record sealing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>1/17/2019</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>2/1/2019</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/30/2019</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/1/2019</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/31/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/31/2019</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/30/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2019</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/1/2019</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>1/31/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/31/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>1/30/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/24/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/30/2019</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/31/2019</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/1/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/1/2019</i>

José F. Tosado
Chynah Tyler

9th Hampden
7th Suffolk

1/29/2019
2/1/2019

HOUSE No. 3378

By Ms. Malia of Boston, a petition (accompanied by bill, House, No. 3378) of Elizabeth A. Malia and others relative to the sealing of and access to sealed court records. The Judiciary.

The Commonwealth of Massachusetts

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

An Act providing easier and greater access to record sealing.

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 100A of chapter 276 of the General Laws, as so appearing, is
2 hereby amended by inserting after the last sentence in the first paragraph, as amended by sections
3 186 to 192, inclusive, of chapter 69 of the acts of 2018, the following sentence:-

4 Notwithstanding the provisions in this section for filing of a request to seal records or any
5 other provision to the contrary, the commissioner of probation shall seal records of criminal
6 court appearances and dispositions in the commonwealth on file with the commissioner of
7 probation that are eligible for sealing under this section within ninety days of the time that they
8 become eligible for sealing after the applicable waiting period if the records are not already
9 sealed.

10 SECTION 2. Section 100B of chapter 276 of the General Laws, as appearing in the 2016
11 Official Edition, is hereby amended by inserting after the last sentence in the first paragraph in
12 line 20, the following sentence:-

13 Notwithstanding this provision or any other provision to the contrary, the commissioner
14 of probation shall seal juvenile court appearances and dispositions in the commonwealth on file
15 with the commissioner of probation that are eligible for sealing under this section within ninety
16 days of the time that they become eligible for sealing after the applicable waiting period if the
17 records are not already sealed.

18 SECTION 3. Chapter 276 of the General Laws is hereby amended by striking out section
19 100Q, as inserted by section 195 of said chapter 69, and inserting in place thereof the following
20 section:-

21 Section 100Q. Unless otherwise provided by law, no person shall make records sealed
22 pursuant to section 100A, 100B, or 100C or expunged pursuant to section 100F, 100G, section
23 100H, or section 100K available for inspection in any form by any person.