

HOUSE No. 1921

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Whelan

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 testimony in OUI alcohol cases.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/14/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/25/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>1/25/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/27/2021</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>	<i>2/1/2021</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/9/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/11/2021</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/11/2021</i>
<i>Alyson M. Sullivan</i>	<i>7th Plymouth</i>	<i>2/24/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/25/2021</i>

HOUSE No. 1921

By Mr. Whelan of Brewster, a petition (accompanied by bill, House, No. 1921) of Timothy R. Whelan and others relative to testimony in operating under the influence of alcohol cases. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3477 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to testimony in OUI alcohol cases.

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. Subsection 1(e) of Section 24 of Chapter 90 of the General Laws, as
2 appearing in the 2014 Official Edition, is hereby amended by striking out the second sentence
3 and inserting in place thereof the following:- “Evidence that the defendant failed or refused to
4 consent to such test or analysis shall not be admissible against him in a civil proceeding, but shall
5 be admissible in any criminal proceeding where he elects to testify, and in any action by the
6 registrar under paragraph (f) or in any proceedings provided for in section twenty-four N.”