

HOUSE No. 3790

The Commonwealth of Massachusetts

PRESENTED BY:

Steven G. Xiarhos

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 first offense of juveniles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/19/2021</i>

HOUSE No. 3790

By Mr. Xiarhos of Barnstable, a petition (accompanied by bill, House, No. 3790) of Steven G. Xiarhos relative to diversion program eligibility for first offenses of juveniles. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to first offense of juveniles.

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

1 Chapter 119 of the General Laws, as appearing in the 2018 Official Edition, is hereby
2 amended by inserting after section 54A the following section:-

3 Section 54A ½. Notwithstanding section 54 or any other general or special law to the
4 contrary, a delinquent child may be eligible for diversion programs administered by the court,
5 district attorney or other agency authorized to administer a diversion program at the time of a
6 finding of probable cause by a judge or clerk magistrate of the juvenile court that the delinquent
7 child violated a law of the commonwealth, notwithstanding the specified punishment; provided,
8 that the judge or clerk magistrate finds the delinquent child has not previously violated a law of
9 the commonwealth.