

**HOUSE . . . . . No. 3790**

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**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**

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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.

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**The Commonwealth of Massachusetts**

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**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.