

**SENATE . . . . . No. 1037**

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PRESENTED BY:

***Cindy F. Friedman***

*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:	
<i>Cindy F. Friedman</i>	<i>Fourth Middlesex</i>	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>4/1/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>6/16/2021</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>6/16/2021</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>6/16/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>6/17/2021</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>6/17/2021</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>6/21/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>6/25/2021</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>6/28/2021</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>7/16/2021</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>7/16/2021</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>9/8/2021</i>
<i>Lydia Edwards</i>	<i>First Suffolk and Middlesex</i>	<i>6/13/2022</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>6/22/2022</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>6/23/2022</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	<i>6/24/2022</i>

**SENATE . . . . . No. 1037**

By Ms. Friedman, a petition (accompanied by bill, Senate, No. 1037) of Cindy F. Friedman and Joanne M. Comerford for legislation to provide easier and greater access to record sealing. The Judiciary.

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

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 appearing in the 2018  
2 Official Edition, is hereby amended by inserting after the words “comply with the request”, in  
3 lines 5 and 6, the following words:- , within 90 days of receiving such request,

4 SECTION 2. Said section 100A of said chapter 276, as so appearing, is hereby amended  
5 by inserting after the third sentence the following sentence:-

6 Notwithstanding this section or any other general or special law to the contrary, the  
7 commissioner shall seal records of criminal court appearances and dispositions in the  
8 commonwealth on file with the commissioner that are eligible for sealing under this section  
9 within 90 days of the time that they become eligible for sealing after the applicable waiting  
10 period if the records are not already sealed.

11 SECTION 3. Section 100B of said chapter 276, as so appearing, is hereby amended by  
12 inserting after the words “comply with such request”, in lines 5 and 6, the following words:- ,  
13 within 90 days of receiving such request,

14 SECTION 4. Said section 100B of said chapter 276, as so appearing, is hereby amended  
15 by inserting after the second sentence the following sentence:-

16 Notwithstanding this section or any general or special law to the contrary, the  
17 commissioner shall seal delinquency court appearances and dispositions in the commonwealth  
18 on file with the commissioner that are eligible for sealing under this section within 90 days of the  
19 time that they become eligible for sealing after the applicable waiting period if the records are  
20 not already sealed.

21 SECTION 5. Section 100C of said chapter 276, as so appearing, is hereby amended by  
22 inserting after the first sentence the following sentence:-

23 The offense or offenses shall be sealed forthwith without the defendant having to file a  
24 petition or other request with the court.

25 SECTION 6. Said chapter 276, as so appearing, is hereby further amended by striking out  
26 section 100Q and inserting in place thereof the following section:-

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

30 SECTION 7. Notwithstanding any general law or special law to the contrary, as soon as  
31 practicable, and not later than 6 months after the effective date of this act, the commissioner of

32 probation shall seal records of: (i) criminal court appearances and dispositions in the  
33 commonwealth on file with the commissioner that are eligible for sealing under section 100A of  
34 chapter 276 of the General Laws; and (ii) delinquency court appearances and dispositions in the  
35 commonwealth on file with the commissioner that are eligible for sealing under section 100B of  
36 chapter 276 of the General Laws.

37 SECTION 8. This act shall take effect upon its passage.