

**SENATE . . . . . No. 1042**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Anne M. Gobi*

*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 the expungement of non-convictions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>3/19/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>4/8/2021</i>

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By Ms. Gobi, a petition (accompanied by bill, Senate, No. 1042) of Anne M. Gobi, Susannah M. Whipps and Brian M. Ashe for legislation relative to the expungement of non-convictions. 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)**  
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An Act relative to the expungement of non-convictions.

*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 100K of Chapter 276 of the Massachusetts General Laws is hereby amended by  
2 including, after subsection (a) the following new subsection:

3           (xx) Notwithstanding the requirements of section 100I and section 100J, a court may  
4 further order the expungement of a record created as a result of a criminal court appearance,  
5 juvenile court appearance or dispositions if:

6           (1) such court appearance resulted in the accused, by a final judgment, being found non-  
7 guilty of the charge or the charge is dismissed;

8           (2) a charge in a criminal case has been nolle in the Superior Court and at least thirteen  
9 months have elapsed since such nolle; or

10           (3) a charge in a criminal case has been continued at the request of the prosecuting  
11 attorney, and a period of thirteen months has elapsed since the granting of such continuance  
12 during which period there has been no prosecution or other disposition of the matter.