

**SENATE . . . . . No. 1057**

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The Commonwealth of Massachusetts

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PRESENTED BY:

***Patricia D. Jehlen***

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*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 probation violations.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/26/2021</i>

**SENATE . . . . . No. 1057**

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By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 1057) of Patricia D. Jehlen and Elizabeth A. Malia for legislation relative to probation violations. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 846 OF 2019-2020.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act relative to probation violations.

*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 133 of Chapter 127 of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by striking out the last sentence.

3           SECTION 2. Section 3 of Chapter 279 of the General Laws, as so appearing, is hereby  
4 amended by striking out the third sentence and inserting in place thereof the following 4  
5 sentences:-

6           If such suspended sentence is to the state prison and is revoked, the sentence shall be in  
7 full force and effect. If such suspended sentence is to the house of correction and is revoked, the  
8 court shall have discretion to impose (i) the full term of the suspended sentence; or (ii) a portion  
9 of the suspended sentence with the remaining balance suspended. If the court imposes a portion  
10 of the suspended sentence, then the remaining balance of the suspended sentence and the length

- 11 of time for which the balance is suspended shall be reduced by the time served on revocation. If
- 12 the court imposes less than the full term of the suspended sentence, the court shall also have
- 13 discretion to revise the conditions of probation.