

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Pavel Payano

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 to repeal pay-to-stay fees.

PETITION OF:

NAME:

Pavel Payano

DISTRICT/ADDRESS:

First Essex

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to repeal pay-to-stay fees.

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 48A of chapter 127 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting after "superintendent may so expend any part or
3 all of such money" the following words:- "However, the superintendent may not deduct from
4 money earned by any inmate for room, board, or any living-related expenses."

5 Section 2. The Department of Correction shall promulgate regulations pursuant to this
6 section no later than 30 days after the enactment of this act.

7 Section 3. The amendment of Section 48A shall apply retroactively to all such deductions
8 made from inmate earnings for room, board, or living-related expenses after January 1, 2020.
9 Any such deductions that occurred prior to the enactment of this bill shall be refunded to the
10 affected individuals.

11 Section 4. Section 58 of chapter 119 of the General Laws, as appearing in the 2022
12 Official Edition, is hereby amended by striking out the paragraph that begins with "The court
13 may make an order for payment..." in its entirety and inserting in place thereof the following:-

14 “The court may not make an order for payment by the child's parents or guardian from the child's
15 property, or by any other person responsible for the care and support of said child, to the
16 institution, department, division, organization or person furnishing care and support for said
17 child.”

18 Section 4. The Juvenile Court shall immediately cease the issuance of payment orders for
19 the care and support of delinquent youth upon the enactment of this act.

20 Section 5. The amendment of Section 58 shall apply retroactively to any youth for whom
21 payment orders were issued after January 1, 2020. Any such payment orders shall be deemed
22 void and any orders already fulfilled shall be refunded to the impacted youths or their families.

23 Section 6. The Commonwealth shall ensure that the costs associated with the care and
24 accommodation of incarcerated individuals are not passed on to the individuals themselves or
25 their families.