

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

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 enhance the lives of survivors of human trafficking.

PETITION OF:

NAME:

Mark C. Montigny

DISTRICT/ADDRESS:

Second Bristol and Plymouth

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1061 OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act to enhance the lives of survivors of human trafficking.

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 59 of chapter 265 of the General Laws, as appearing in the 2022
2 Official Edition is hereby amended by inserting after the word “under” in the first instance the
3 following words:- "subsection (1) of section 30 or section 30A of chapter 266, or under".

4 SECTION 2. Chapter 276 of the General Laws, as so appearing, is hereby amended by
5 inserting after section 100U the following section:-

6 Section 100V. (a) In a case in which a plea of not guilty has been entered by a court
7 pursuant to section 59 of chapter 265 and (i) the criminal complaint is subsequently dismissed;
8 (ii) the defendant is found not guilty by a judge or a jury; (iii) a finding of no probable cause is
9 made by the court; or (iv) a nolle prosequi has been entered, a judge shall, upon motion of the
10 defendant, seal the court appearance and disposition recorded and the clerk and the probation
11 officers of the courts in which the proceedings occurred or were initiated shall seal the records of

12 the proceedings in their files. Sealed records shall not operate to disqualify a person in any
13 examination, appointment, or application for public employment in the service of the
14 commonwealth or of any political subdivision.

15 (b) An application for employment used by an employer that seeks information
16 concerning prior arrests, convictions or adjudications of delinquency of the applicant shall
17 include, in addition to the statement required under section 100A, the following statement: “An
18 applicant for employment with a sealed record on file with the commissioner of probation may
19 answer ‘no record’ with respect to an inquiry herein relative to prior arrests or criminal court
20 appearances.” The attorney general may enforce this section by a suit in equity commenced in
21 the superior court. Notwithstanding this section or any other general or special law to the
22 contrary, the commissioner of probation or the clerk of courts in any district court, superior
23 court, juvenile court or the Boston municipal court, in response to inquiries by authorized
24 persons other than by a law enforcement agency or a court, shall, in the case of a sealed record,
25 report that no record exists.