HOUSE DOCKET, NO. 770 FILED ON: 1/14/2013

HOUSE . . . . . No. 1313

The Commonwealth of Massachusetts

PRESENTED BY:

John V. Fernandes

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 clarifying the removal statute.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John V. Fernandes	*10th Worcester*

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HOUSE . . . . . No. 1313

By Mr. Fernandes of Milford, a petition (accompanied by bill, House, No. 1313) of John V. Fernandes for legislation clarifying the removal statute. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2147* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act clarifying the removal statute.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 208 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out section 30 and inserting in place thereof the following section:-

Section 30. A minor child of divorcing or divorced parents who is a resident over whose custody and maintenance a probate court has jurisdiction shall not, be removed out of this commonwealth without the consent of both parents, unless the court upon cause shown otherwise orders. The court, upon application of any person in behalf of such child, may require security and issue writs and processes to affect the purposes of this and the three preceding sections.