SENATE DOCKET, NO. 83 FILED ON: 1/11/2013

SENATE . . . . . No. 959

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 allowing for the decriminalization of minor offenses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael O. Moore	*Second Worcester*
William C. Galvin	*6th Norfolk*
Jason M. Lewis	*Fifth Middlesex*

SENATE DOCKET, NO. 83 FILED ON: 1/11/2013

SENATE . . . . . No. 959

By Mr. Michael O. Moore, a petition (accompanied by bill, Senate, No. 959) of Michael O. Moore, William C. Galvin and Jason M. Lewis for legislation to allow for the decriminalization of minor offenses. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1042* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act allowing for the decriminalization of minor offenses.

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

SECTION 1. Section 21D of chapter 40 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, in line 2, after the words "disposition of" the following words:- misdemeanors not ineligible for decriminalization under section seventy-C of chapter two hundred and seventy seven, any matters deemed civil infractions by any general or special law, and any.

SECTION 2. Section 21D of chapter 40 of the General Laws, as so appearing, is hereby further amended by inserting after the first paragraph the following paragraph:-

A police officer taking cognizance of any such violation may request the offender to state his name and address. Whoever, upon such request, refuses to state his name and address, or states a false name and address or a name and address which is not his name and address in ordinary use, shall be punished by a fine of not less than twenty nor more than fifty dollars. Any such offender who refuses upon such request to state his name and address or states a false name and address or a name and address which is not his name and address in ordinary use may be arrested without a warrant.

SECTION 3. Section 21D of chapter 40 of the General Laws, as so appearing, is hereby further amended by inserting, in line 6, after the word “ordinance” the following words:- , misdemeanor, civil infraction,.

SECTION 4. Section 21D of chapter 40 of the General Laws, as so appearing, is hereby further amended by striking out, in line 9 and 10, the following words:- shall, or, if so provided in such ordinance or by-law,.

SECTION 5. Section 21D of chapter 40 of the General Laws, as so appearing, is hereby further amended by inserting, in line 80, after the word “ordinance” the following words:- , misdemeanor, civil infraction,.

SECTION 6. Section 21D of chapter 40 of the General Laws, as so appearing, is hereby further amended by inserting at the end of the seventh paragraph the following 2 sentences:- Such persons shall also be punished by a fine of not less than twenty nor more than fifty dollars. If the person fails, without good cause, to appear in response to the summons, and the court has satisfactory proof of service of said summons, an arrest warrant may be issued, and shall be served by any officer authorized to serve criminal process.