SENATE DOCKET, NO. FILED ON: 1/12/2009

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

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Mr. Knapik**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*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 passage of the accompanying bill:

An Act relative to eliminating presumed personal recognizance for certain defendants.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Mr. Brown | Norfolk, Bristol and Middlesex |
| Mr. Hedlund | Plymouth and Norfolk |
| Mr. Knapik | Second Hampden and Hampshire |
| Mr. Tarr | First Essex and Middlesex |
| Mr. Tisei | Middlesex and Essex |
| Todd M. Smola | 1st Hampden |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00934 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act relative to eliminating presumed personal recognizance for certain defendants.

 *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 58 of chapter 276 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by inserting after the word “court”, in line 13, the following sentence:- It shall be presumed that any person who has been admitted to bail on an offense and released, and failed on one or more occasion to appear at any court proceeding relating to that offense, without sufficient excuse, will not appear before the court if admitted to bail on personal recognizance without surety.

SECTION 2. Section 58 of Chapter 276 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by inserting after the word “hours”, in line 76, the following sentence:-

Said fees collected from the defendant, whom has failed to appear on the date specified before the court,  shall be administered to the town in which the said offense occurred..