

SENATE No.

The Commonwealth of Massachusetts

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

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:*

1 SECTION 1. Section 58 of chapter 276 of the General Laws, as appearing in the 2000
2 Official Edition, is hereby amended by inserting after the word “court”, in line 13, the following
3 sentence:- It shall be presumed that any person who has been admitted to bail on an offense and
4 released, and failed on one or more occasion to appear at any court proceeding relating to that
5 offense, without sufficient excuse, will not appear before the court if admitted to bail on personal
6 recognizance without surety.

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

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

12