

HOUSE No. 1610

The Commonwealth of Massachusetts

PRESENTED BY:

Eugene L. O'Flaherty

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 to exempt certain criminal misdemeanors from the hearing provisions of G.L.c.218, sec. 35A.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1670 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO EXEMPT CERTAIN CRIMINAL MISDEMEANORS FROM THE HEARING
PROVISIONS OF G.L.C.218, SEC. 35A.

*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 35A of chapter 218 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by adding the following paragraph:-

3 This section shall not apply to (1) substitute complaints that are issued to correct a
4 misstatement or omission of form in an earlier complaint; or (2) complaints for violations of
5 section 82A of chapter 276; or (3) complaints that are issued after the accused was offered an
6 opportunity to be heard pursuant to a civil citation procedure authorized by statute in which the
7 accused was charged with the same conduct as a civil infraction.