

HOUSE No. 4052

Sections 50, 85 and 111 contained in the engrossed Bill making appropriations for the fiscal year 2024 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4040), which had been returned by Her Excellency the Governor with recommendation of amendment (for message see Attachment E of House, No. 4055). August 9, 2023.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act providing for unlimited free phone calls to incarcerated individuals.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for unlimited free phone calls to incarcerated individuals, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Chapter 127 of the General Laws is hereby amended by inserting after
2 section 87 the following section:-

3 Section 87A. (a) For the purposes of this section, the terms “state correctional facility”,
4 “state prison” and “county correctional facility” shall have the same meanings as those terms are
5 defined in section 1 of chapter 125.

6 (b) The department of correction and sheriffs shall provide any person committed to a
7 state correctional facility, state prison or county correctional facility, including a jail or house of
8 correction, with voice communication services, including phone calls, free of charge to the

9 person initiating and the person receiving the communication; provided, however, that voice
10 communication services shall be maximized to the extent possible and no facility shall offer
11 access to voice communication services less than were offered and available at such facilities on
12 July 1, 2023; provided further, that the department of correction and sheriffs shall ensure
13 adequate infrastructure for voice communication services; and provided further, that nothing in
14 this section shall prohibit in-person contact visits.

15 (c) The department of correction and sheriffs may supplement voice communication
16 services with other communication services, including, but not limited to, video and electronic
17 communication services; provided, however, that other communication services shall not replace
18 voice communication services; and provided further, that other communication services shall be
19 provided free of charge to the person initiating and the person receiving the communication.

20 SECTION 2. (a) Notwithstanding any general or special law to the contrary, no voice
21 communication services contract in force on the effective date of this act shall be affected by
22 section 87A of chapter 127 of the General Laws, as inserted by section 1; provided, however,
23 that voice communication services shall be free of charge to the person initiating and the person
24 receiving the communication beginning on July 1, 2023; provided further, that other
25 communication services offered pursuant to said section 87A of said chapter 127, including, but
26 not limited to, video and electronic communication services, shall be offered free of charge to the
27 person initiating and the person receiving the communication beginning on July 1, 2023.

28 (b) Notwithstanding any general or special law to the contrary, upon the expiration of
29 any contract for voice communication services, the department of correction and the sheriffs
30 shall seek to maximize purchasing power and consolidate contracts to the extent feasible;

31 provided, that not later than January 1, 2024, the department of correction and the sheriffs shall
32 report to the house and senate committees on ways and means and the joint committee on the
33 judiciary on the status of any communication services contracts and plans to consolidate
34 contracts to maximize purchasing power for voice communication services.

35 (c) Notwithstanding any general or special law to the contrary, any financial incentive
36 received in connection with a voice communication services or other communication services
37 contract, including, but not limited to, a commission, shall revert to the General Fund.

38 SECTION 3. Section 87A of chapter 127 of the General Laws, as inserted by section 1,
39 shall take effect 60 days after the effective date of this act.