

SENATE No. 2594

The Commonwealth of Massachusetts

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

SENATE, February 29, 2024.

The committee on The Judiciary, to whom was referred the petitions (accompanied by bill, Senate, No. 922) of Cynthia Stone Creem for legislation relative to probation violations; (accompanied by bill, Senate, No. 1007) of Patricia D. Jehlen for legislation relative to probation violations; and (accompanied by bill, House, No. 1567) of Daniel J. Hunt relative to probation violations, report the accompanying bill (Senate, No. 2594).

For the committee,
James B. Eldridge

SENATE No. 2594

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

An Act relative to probation violations.

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 133 of Chapter 127 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out the last sentence.

3 SECTION 2. Section 3 of Chapter 279 of the General Laws, as so appearing, is hereby
4 amended by striking out the third sentence and inserting in place thereof the following 4
5 sentences:-

6 If such suspended sentence is to the state prison and is revoked, the sentence shall be in
7 full force and effect. If such suspended sentence is to the house of correction and is revoked, the
8 court shall have discretion to impose (i) the full term of the suspended sentence; or (ii) a portion
9 of the suspended sentence with the remaining balance suspended. If the court imposes a portion
10 of the suspended sentence, then the remaining balance of the suspended sentence and the length
11 of time for which the balance is suspended shall be reduced by the time served on revocation. If
12 the court imposes less than the full term of the suspended sentence, the court shall also have
13 discretion to revise the conditions of probation.