

SENATE No. 984

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 adoption of the accompanying bill:

An Act relative to judicial supervision to promote child well-being.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Cynthia Stone Creem</i>	<i>First Middlesex and Norfolk</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/24/2021</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>3/4/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/10/2021</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>3/15/2021</i>

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By Ms. Creem, a petition (accompanied by bill, Senate, No. 984) of Cynthia Stone Creem, Jack Patrick Lewis, Mary S. Keefe, Joanne M. Comerford and others for legislation relative to judicial supervision to promote child well-being. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to judicial supervision to promote child well-being.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Subsection (g) of section 54A of chapter 119 of the General Laws, as so appearing, is
2 hereby amended by striking it in its entirety and inserting in place thereof the following:-

3 (g) A child otherwise eligible for diversion pursuant to this section shall not be eligible
4 for diversion if the child is indicted as a youthful offender or if the child is charged with a
5 violation of 1 or more of the offenses enumerated in the second sentence of section 70C of
6 chapter 277, other than the offenses in subsection (2)(a) of section 24 of chapter 90, subsection
7 (a) of section 13A, the first paragraph of section 13D, subsection (a) of section 13M, subsection
8 (b) of section 15A and subsection (b) of section 15B of chapter 265, sections 13A and 13C of
9 chapter 268 and section 12B of chapter 269, or if the defendant is charged with an offense for
10 which a penalty of incarceration greater than 5 years may be imposed or for which there is
11 minimum term penalty of incarceration, unless there is concurrent district court jurisdiction for
12 such offense, or which may not be continued without a finding or placed on file, this chapter

- 13 shall not apply to that defendant. Diversion of juvenile court charges under this chapter shall not
- 14 preclude a subsequent indictment on the same charges in superior court.