

HOUSE No. 1733

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

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 expanding opportunities for individuals in the criminal offender record information system.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/18/2023</i>

HOUSE No. 1733

By Representative Rogers of Cambridge, a petition (accompanied by bill, House, No. 1733) of David M. Rogers relative to opportunities for individuals in the criminal offender record information system. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4158 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act expanding opportunities for individuals in the criminal offender record information system.

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

1 Clause (3) of the second sentence of subsection (a) of section 172 of chapter 6 of the
2 General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the
3 second sentence and inserting in place thereof the following 2 sentences:- Criminal offender
4 record information made available under this section shall be limited to the following: (i) felony
5 convictions or findings of not guilty by reason of insanity for 10 years following the disposition
6 thereof, including termination of any period of incarceration or custody, (ii) misdemeanor
7 convictions for 5 years following the disposition thereof, including termination of any period of
8 incarceration or custody, and (iii) pending criminal charges, which shall include cases that have
9 been continued without a finding until such time as the case is dismissed pursuant to section 18
10 of chapter 278 except cases for individuals with no prior criminal record that have been

11 continued without a finding until such time as the case is dismissed pursuant to said section 18 of
12 said chapter 278 unless the case is delineated in section 100J of chapter 276; and provided
13 further, that a violation of section 7 of chapter 209A and a violation of section 9 of chapter 258E
14 shall be treated as a felony for purposes of this section. For purposes of this clause, “pending
15 criminal charges” shall mean charges pending in a Massachusetts court where a disposition has
16 not yet been entered, except a pending misdemeanor criminal charge for an individual with no
17 existing prior criminal record and a pending charge that is not delineated in section 100J of
18 chapter 276.