

SENATE No. 1042

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

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 the expungement of non-convictions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>3/19/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>4/8/2021</i>

SENATE No. 1042

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 1042) of Anne M. Gobi, Susannah M. Whipps and Brian M. Ashe for legislation relative to the expungement of non-convictions. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to the expungement of non-convictions.

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 100K of Chapter 276 of the Massachusetts General Laws is hereby amended by
2 including, after subsection (a) the following new subsection:

3 (xx) Notwithstanding the requirements of section 100I and section 100J, a court may
4 further order the expungement of a record created as a result of a criminal court appearance,
5 juvenile court appearance or dispositions if:

6 (1) such court appearance resulted in the accused, by a final judgment, being found non-
7 guilty of the charge or the charge is dismissed;

8 (2) a charge in a criminal case has been nolle in the Superior Court and at least thirteen
9 months have elapsed since such nolle; or

10 (3) a charge in a criminal case has been continued at the request of the prosecuting
11 attorney, and a period of thirteen months has elapsed since the granting of such continuance
12 during which period there has been no prosecution or other disposition of the matter.