

SENATE No. 1057

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

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 probation violations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/26/2021</i>

SENATE No. 1057

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 1057) of Patricia D. Jehlen and Elizabeth A. Malia for legislation relative to probation violations. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 846 OF 2019-2020.]

The Commonwealth of Massachusetts

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

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 2014
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.