

SENATE No. 921

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

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 passage of the accompanying bill:
An Act relative to the civil commitment for alcoholism or substance abuse at certain facilities.

PETITION OF:

NAME:

Karen E. Spilka

DISTRICT/ADDRESS:

Second Middlesex and Norfolk

SENATE No. 921

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 921) of Karen E. Spilka for legislation relative to the civil commitment for alcoholism or substance abuse at certain facilities. Mental Health and Substance Abuse.

[SIMILAR MATTER FILED IN PREVIOUS SESSION

SEE

□ □ SENATE
□ , NO. 989 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the civil commitment for alcoholism or substance abuse at certain facilities.

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 7 of chapter 111B of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by striking out, in lines 26 – 29, the words, “or if any such
3 person is committed for rehabilitative purposes to the Massachusetts correctional institution,
4 Bridgewater or to the Massachusetts correctional institution, Framingham, he shall be required to
5 remain for a period of not less than ten days.”

6 SECTION 2. Section 7 of chapter 111B of the General Laws, as appearing in the 2010
7 Official Edition, is hereby amended by inserting at the end thereof the following sentence:-

8 The department shall ensure that no one is committed to the Massachusetts correctional
9 institutions at Bridgewater and Framingham for rehabilitative purposes, pursuant to this section
10 or pursuant to section 35 of chapter 123 of the General Laws.

11 SECTION 3. Section 35 of chapter 123 of the General Laws, as appearing in the 2010
12 Official Edition, is hereby amended by inserting after the word “psychologist,” in line 33, the
13 following words:- The person shall be assessed using a standardized evaluation tool to be created
14 by the Department of Mental Health in collaboration with the Department of Public Health.

15 SECTION 4. Said Section 35 of chapter 123 is hereby amended by striking out the
16 following two sentences:- “The person may be committed to the Massachusetts correctional
17 institution at Bridgewater, if a male, or at Framingham, if a female, provided that there are not
18 suitable facilities available under chapter one hundred and eleven B; and provided, further that
19 the person so committed shall be housed and treated separately from convicted criminals. A
20 person so committed may be released prior to the expiration of the period of commitment upon
21 determination by the superintendent that release of said person will not result in a likelihood of
22 serious harm.”

23 SECTION 5. Said Section 35 of chapter 123 is hereby further amended by striking out
24 the words, “including the separated facilities at the Massachusetts correctional institutions at
25 Bridgewater and Framingham”.

26 SECTION 6. Notwithstanding any general or special law to the contrary, the department
27 of mental health in collaboration with the department of public health shall study and report to
28 the joint committee on mental health and substance abuse and the joint committee on public
29 health the budgetary needs required to provide enough secure treatment beds to meet the
30 requirements of this section by December 31, 2014. The report shall include immediate
31 budgetary needs for fiscal year 2015 and projected annual expenditure requirements through
32 fiscal year 2020.