

# HOUSE . . . . . No. 4819

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By Mr. Cain of Wilmington, petition of the Massachusetts Chiefs of Police Association for legislation to prohibit the release on bail for persons arrested and charged with a felony while on bail or personal recognizance for two other felonies. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Seventy.

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AN ACT PROHIBITING THE RELEASE ON BAIL FOR PERSONS ARRESTED AND CHARGED WITH A FELONY WHILE ON BAIL OR PERSONAL RECOGNIZANCE FOR TWO OTHER FELONIES.

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

- 1 Chapter 276 of the General Laws is hereby amended by
- 2 striking out section 42, as appearing in the Tercentenary Edi-
- 3 tion, and inserting in place thereof, the following section:—
- 4 *Section 42.* If it appears that a crime has been committed
- 5 and that there is probably cause to believe the prisoner guilty,
- 6 the court or justice shall, if final jurisdiction is not exercised,
- 7 admit the prisoner to bail, if the crime is bailable and sufficient
- 8 bail is offered, and if the prisoner is not, while charged with the
- 9 commission of a felony, already on bail or personal recognizance
- 10 for the alleged commission of two prior and separate felonies;
- 11 otherwise, he shall be committed to jail for trial.