

HOUSE No. 2394

By Messrs. Marshall of Quincy and Ambler of Weymouth, petition of George G. Burke (District Attorney of Norfolk County), Clifford H. Marshall and Robert B. Ambler for legislation to increase the penalties for failure to appear in court after release on bail or recognizance. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Four.

AN ACT INCREASING THE PENALTIES FOR FAILURE TO APPEAR IN COURT AFTER RELEASE ON BAIL OR RECOGNIZANCE.

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 82A of chapter 276 of the General Laws is hereby
2 amended by striking out the entire paragraph and inserting in its
3 place the following: —

4 A person who is released by court order or other lawful
5 authority on bail or recognizance on condition that he will
6 appear personally at a specified time and place and who fails
7 without sufficient excuse to so appear shall be punished as
8 follows:

9 First, if the complaint or indictment on which he is to appear
10 is punishable by a fine or term of imprisonment in the state
11 prison for two and one half years or more, by a fine of not more
12 than five thousand dollars or by imprisonment in the state prison
13 for not more than twenty years, but in no event shall the fine or
14 imprisonment exceed the maximum sentence prescribed for the
15 crime in connection with which his appearance is required.

16 Second, if the complaint or indictment on which he is to
17 appear is punishable by a fine or term of imprisonment of not
18 more than two and one half years in the house of correction, by

19 a fine of not more than one thousand dollars or by imprisonment
 20 in the house of correction for not more than two and one half
 21 years, but in no event shall the fine or imprisonment exceed the
 22 maximum sentence prescribed for the crime in connection with
 23 which his appearance is required.