

By Mrs. Parente of Milford, petition of Marie J. Parente for legislation to modify the penalties for driving while intoxicated. Criminal Justice.

The Commonwealth of Massachusetts

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

AN ACT MODIFYING THE PENALTIES FOR DRIVING WHILE INTOXICATED.

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.** The first paragraph of paragraph (a) of subdivi-
2 sion (1) of section 24 of chapter 90 of the General Laws, as most
3 recently amended by section 2 of chapter 373 of the acts of 1982, is
4 hereby further amended by inserting at the end of the first sentence
5 the following: — provided, however, upon the filing of an affidavit
6 of indigency or inability to pay with the court, that investigation by
7 the probation officer confirms such indigency or establishes that
8 the payment of such fine would cause a grave and serious hardship
9 to such individual or to the family of such individual, the court, in
10 lieu of such fine, may order thirty days of community service.

1 **SECTION 2.** The second paragraph of paragraph (a) of subdivi-
2 sion (1) of section 24 of chapter 90 of the General Laws, as most
3 recently amended by section 2 of chapter 373 of the acts of 1982, is
4 hereby further amended by inserting in line 6, after the word
5 “dollars”, the following words: — provided, however, upon the
6 filing of an affidavit of indigency or inability to pay with the court,
7 that investigation by the probation officer confirms such indigency
8 or establishes that the payment of such fine would cause a grave
9 and serious hardship to such individual or to the family of such
10 individual, the court in lieu of such fine may order sixty days of
11 community service.

1 SECTION 3. The third paragraph of paragraph (a) of subdivi-
2 sion (1) of section 24 of chapter 90 of the General Laws, as most
3 recently amended by section 2 of chapter 373 of the acts of 1982, is
4 hereby further amended by inserting in line 7, after the word
5 “dollars”, the following words: — provided, however, upon the
6 filing of an affidavit of indigency or inability to pay with the court,
7 that investigation by the probation officer confirms such indigency
8 or establishes that the payment of such fine would cause a grave
9 and serious hardship to such individual or to the family of such
10 individual; the court, in lieu of such fine may order ninety days of
11 community service.