

SENATE No. 3087

The Commonwealth of Massachusetts

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

SENATE, July 30, 2022.

The committee on Senate Ways and Means, to whom was referred the House Bill to improve and modernize the information technology systems and capacities of the judiciary (on the residue of House, No. 5076, insomuch as relates to sections 1, 2, 2A, 2B, 3, 3A, 4 through 28 inclusive, 29 through 35 inclusive, 36 through 62 inclusive, 64 and 66),- reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3087.

For the committee,
Michael J. Rodrigues

The Commonwealth of Massachusetts

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

1 SECTION 1. To provide for a program to improve and modernize the information
2 technology infrastructure of the supreme judicial court, appeals court, trial court and departments
3 of the trial court of the commonwealth, the sums set forth in this act, for the several purposes and
4 subject to the conditions specified in this act, are hereby made available, subject to the laws
5 regulating the disbursement of public funds; provided, however, that the amounts specified in an
6 item or for a particular project may be adjusted in order to facilitate projects authorized in this
7 act. The sums made available in this act shall be in addition to any amounts previously made
8 available for these purposes.

9 SECTION 2.

10 JUDICIARY

11 0330-6000 For costs associated with establishing digital courthouses and courtrooms;
12 provided, that projects funded in this item shall include an access to justice portal to enable
13 electronic file storage and electronic access to case information by court users; provided further,
14 that projects funded in this item shall include a remote video interpreting system; provided
15 further, that projects funded in this item shall include a content management system to manage
16 electronically filed documents, forms and evidence with a workflow engine to manage court

17 operations and enable system wide real-time docketing and data access; provided further, that
18 projects funded in this item shall include wireless internet access in courthouses for court staff
19 and court users; provided further, that projects funded in this item shall include digital signage in
20 all courthouses; provided further, that projects funded in this item shall include the costs
21 associated with planning for the replacement of a case management system for the trial court of
22 the commonwealth; provided further, that projects funded in this item shall include replacement
23 of the appellate court case management system; provided further, that projects funded in this
24 item shall include a supreme judicial court digital reporting system that permits self-publishing
25 for the supreme judicial court and appeals court; and provided further, that projects funded in this
26 item shall be funded in consultation, as applicable, with the secretary of technology services and
27 security.....\$94,000,000

28 SECTION 2A.

29 JUDICIARY

30 0330-6001 For costs associated with establishing a modern and secure judiciary;
31 provided, that projects funded in this item shall include costs associated with establishing a
32 digital security system to protect court systems, networks and data; provided further, that
33 projects funded in this item shall include court system-wide replacement of physical security
34 hardware, which shall include, but not be limited to, video surveillance systems, duress systems,
35 security scanning systems and inter-personnel communications equipment; provided further, that
36 projects funded in this item shall include centralized law enforcement communication systems;
37 and provided further, that projects funded in this item shall be funded in consultation, as
38 applicable, with the secretary of technology services and security.....\$35,000,000

39 SECTION 2B.

40 JUDICIARY

41 0330-6002 For costs associated with the technological modernization of court
42 administrative operations; provided, that projects funded in this item shall include court system-
43 wide voice over internet protocol phone systems; provided further, that projects funded in this
44 item shall include an energy management system; provided further, that projects funded in this
45 item shall include a data storage system of sufficient capacity to meet the needs of the court
46 system; provided further, that projects funded in this item shall include costs associated with
47 enterprise resource planning; provided further, that projects funded in this item shall include
48 costs associated with establishing a virtual private network to enable court employee remote
49 access to court systems and data; provided further, that projects funded in this item shall include
50 costs associated with increased bandwidth capacity in all court locations to accommodate a
51 digital court system; and provided further, that projects funded in this item shall be funded in
52 consultation, as applicable, with the secretary of technology services and security....\$35,000,000

53 SECTION 3. Section 9B of chapter 4 of the General Laws, as appearing in the 2020
54 Official Edition, is hereby amended by adding the following sentence:- Electronically imprinting
55 the established seal of a court in a form authorized by the supreme judicial court, appeals court,
56 the trial court or any department of the trial court of the commonwealth shall be taken and held
57 to be the seal of such court.

58 SECTION 4. Section 131 of chapter 140 of the General Laws, as so appearing, is hereby
59 amended by striking out, in lines 6 to 8, inclusive, the words “, subject to such restrictions

60 relative to the possession, use or carrying of firearms as the licensing authority considers
61 proper”.

62 SECTION 5. Said section 131 of said chapter 140, as so appearing, is hereby further
63 amended by striking out, in lines 10 to 17, inclusive, the words “; provided, however, that the
64 licensing authority may impose such restrictions relative to the possession, use or carrying of
65 large capacity rifles and shotguns as it considers proper. A violation of a restriction imposed by
66 the licensing authority under this paragraph shall be cause for suspension or revocation and shall,
67 unless otherwise provided, be punished by a fine of not less than \$1,000 nor more than \$10,000;
68 provided, however, that section 10 of chapter 269 shall not apply to a violation of this
69 paragraph.”

70 SECTION 6. Said section 131 of said chapter 140, as so appearing, is hereby further
71 amended by inserting after the word “of”, in lines 55, 256 and 364, in each instance, the
72 following words: - the department of.

73 SECTION 7. Subsection (d) of said section 131 of said chapter 140, as so appearing, is
74 hereby amended by striking out the first paragraph and inserting in place thereof the following
75 paragraph: -

76 A person residing or having a place of business within the jurisdiction of the licensing
77 authority or any law enforcement officer employed by the licensing authority or any person
78 residing in an area of exclusive federal jurisdiction located within a city or town may submit to
79 the licensing authority or the colonel of state police an application for a license to carry firearms,
80 or renewal of the same, which the licensing authority or the colonel shall issue if it appears that

81 the applicant is neither a prohibited person nor determined to be unsuitable to be issued a license
82 as set forth in this section.

83 SECTION 8. Said section 131 of said chapter 140, as so appearing, is hereby further
84 amended by striking out, in line 137, the words “or (C)” and inserting in place thereof the
85 following words: - (C) a permanent or temporary harassment prevention order issued pursuant to
86 chapter 258E or a similar order issued by another jurisdiction; or (D).

87 SECTION 9. Said section 131 of said chapter 140, as so appearing, is hereby further
88 amended by striking out, in line 147, the word “may” and inserting in place thereof the following
89 word:- shall.

90 SECTION 10. Said section 131 of said chapter 140, as so appearing, is hereby further
91 amended by striking out, in lines 149 and 150 the words “, in a reasonable exercise of discretion,
92 the licensing authority determines that”.

93 SECTION 11. Said section 131 of said chapter 140, as so appearing, is hereby further
94 amended by striking out, in lines 152 to 157, inclusive, the words “: (i) reliable and credible
95 information that the applicant or licensee has exhibited or engaged in behavior that suggests that,
96 if issued a license, the applicant or licensee may create a risk to public safety; or (ii) existing
97 factors that suggest that, if issued a license, the applicant or licensee may create a risk to public
98 safety” and inserting in place thereof the following words: - reliable, articulable and credible
99 information that the applicant or licensee has exhibited or engaged in behavior that suggests that,
100 if issued a license, the applicant or licensee may create a risk to public safety or a risk of danger
101 to self or others.

102 SECTION 12. Said section 131 of said chapter 140, as so appearing, is hereby further
103 amended by striking out, in line 225, the word “may” and inserting in place thereof the following
104 word:- shall.

105 SECTION 13. Said section 131 of said chapter 140, as so appearing, is hereby further
106 amended by striking out, in lines 239 and 240 the words “, suspension or restriction placed on”
107 and inserting in place thereof the following words:- or suspension of.

108 SECTION 14. Said section 131 of said chapter 140, as so appearing, is hereby further
109 amended by striking out, in lines 244 to 246, inclusive, the words “or, in the case of a restriction,
110 any time after a restriction is placed on the license pursuant to this section”.

111 SECTION 15. Said section 131 of said chapter 140, as so appearing, is hereby further
112 amended by striking out, in line 250, the words “, revoking or restricting” and inserting in place
113 thereof the following words:- or revoking.

114 SECTION 16. Said section 131 of said chapter 140, as so appearing, is hereby further
115 amended by striking out, in lines 253 and 254 the words “or may order the licensing authority to
116 remove certain restrictions placed on the license”.

117 SECTION 17. Said section 131 of said chapter 140, as so appearing, is hereby further
118 amended by striking out, in lines 266 and 267, 348, 360 and 361, 409 and 410, and 424, each
119 time they appear, the words “executive director of the criminal history systems board” and
120 inserting in place thereof the following words:- commissioner of the department of criminal
121 justice information services.

122 SECTION 18. Said section 131F of said chapter 140, as so appearing, is hereby further
123 amended by striking out, in line 2, the word “may” and inserting in place thereof the following
124 word:- shall.

125 SECTION 19. Said section 131F of said chapter 140, as so appearing, is hereby further
126 amended by striking out, in lines 6 to 8, inclusive, the words “and subject to such terms and
127 conditions as said colonel may deem proper; provided, however, that no license shall be issued to
128 a person who” and inserting in place thereof the following words:- if it appears that the applicant
129 is not a prohibited person and is not determined unsuitable to be issued a license as set forth in
130 section 131.

131 SECTION 20. The first paragraph of said section 131F of said chapter 140, as so
132 appearing, is hereby amended by striking out clauses (i) to (x), inclusive.

133 SECTION 21. Said section 131F of said chapter 140, as so appearing, is hereby further
134 amended by striking out, in line 55, the words “, if in his discretion,” and inserting in place
135 thereof the following word: - if.

136 SECTION 22. Said section 131F of said chapter 140, as so appearing, is hereby further
137 amended by striking out, in lines 57 and 58 the words “, subject to such terms and conditions as
138 he deems proper,” and inserting in place thereof the following words: - in accordance with the
139 provisions of section 131.

140 SECTION 23. Section 7 of chapter 185 of the General Laws, as so appearing, is hereby
141 amended by inserting after the word “court”, in line 7, the following words:- , or may be
142 electronically maintained by the recorder’s office.

143 SECTION 24. Said chapter 185 is hereby further amended by striking out section 9, as so
144 appearing, and inserting in place thereof the following section:-

145 Section 9. An authorized facsimile or electronic rendering of the recorder's signature on
146 any court records, orders, decisions, documents or legal papers, or copies thereof, or upon any
147 writ, summons, order of notice, order of attachment or execution shall have the same validity as
148 a written signature of the recorder.

149 SECTION 25. Section 6 of chapter 185C of the General Laws, as so appearing, is hereby
150 amended by inserting after the word "affixed", in lines 2 and 3, the following words:- or
151 electronically imprinted.

152 SECTION 26. Section 14 of said chapter 185C, as so appearing, is hereby amended by
153 inserting after the word "papers", in line 5, the following words:- , whether in physical or
154 electronic form,.

155 SECTION 27. Said section 14 of said chapter 185C, as so appearing, is hereby further
156 amended by inserting after the word "thereof", in line 17, the following words:- , whether in
157 physical or electronic form,.

158 SECTION 28. Said section 14 of said chapter 185C, as so appearing, is hereby further
159 amended by inserting after the word "facsimile", in line 20, the following words:- or electronic
160 rendering.

161 SECTION 29. Said section 14 of said chapter 185C, as so appearing, is hereby further
162 amended by striking out, in line 21, the word "facsimile".

163 SECTION 30. Section 22 of said chapter 185C, as so appearing, is hereby amended by
164 inserting after the word “docket”, in line 4, the following words:- , including the electronic
165 docket.

166 SECTION 31. Section 3A of chapter 212 of the General Laws, as so appearing, is hereby
167 amended by inserting after the word “signed”, in line 4, the following words:- , by hand or by
168 electronic means,.

169 SECTION 32. Section 26 of said chapter 212, as so appearing, is hereby amended by
170 striking out the first sentence and inserting in place thereof the following sentence:- The records
171 of courts, including electronic records, which are transferred to the superior court shall remain in
172 custody of the clerks, whether in physical or electronic form.

173 SECTION 33. Said section 26 of said chapter 212, as so appearing, is hereby further
174 amended by inserting after the word “seal”, in line 8, the following words:- , which may be
175 electronically imprinted,.

176 SECTION 34. Section 36 of chapter 215 of the General Laws, as so appearing, is hereby
177 amended by striking out, in line 6, the words “books kept therefor” and inserting in place thereof
178 the following words:- books or electronically.

179 SECTION 35. Said section 36 of said chapter 215, as so appearing, is hereby further
180 amended by inserting after the word “process”, in line 16, the following words:- or
181 electronically.

182 SECTION 36. Section 53 of said chapter 215, as so appearing, is hereby amended by
183 inserting after the word “documents”, in line 4, the following words:- , whether in physical or
184 electronic form,.

185 SECTION 37. Section 15 of chapter 217 of the General Laws, as so appearing, is hereby
186 amended by inserting after the word “papers”, in line 2, the following words:- , whether in
187 physical or electronic form,.

188 SECTION 38. Section 26 of said chapter 217, as so appearing, is hereby amended by
189 inserting after the word “signing”, in line 1, the following words:- or electronic rendering.

190 SECTION 39. Section 2A of chapter 218 of the General Laws, as so appearing, is hereby
191 amended by inserting after the word “papers”, in line 6, the following words:- , whether in
192 physical or electronic form,.

193 SECTION 40. Section 12 of said chapter 218, as so appearing, is hereby amended by
194 inserting after the word “papers”, in line 10, the following words:- , whether in physical or
195 electronic form,.

196 SECTION 41. Section 13 of said chapter 218, as so appearing, is hereby amended by
197 inserting after the word “kept”, in line 3, the following words:- in the trial court electronic
198 document management system or.

199 SECTION 42. Section 14 of said chapter 218, as so appearing, is hereby amended by
200 inserting after the word “facsimile”, in lines 7 and 12, in each instance, the following words:- or
201 electronic rendering.

202 SECTION 43. Said section 14 of said chapter 218, as so appearing, is hereby further
203 amended by striking out, in line 8, the word “facsimile”.

204 SECTION 44. Said section 14 of said chapter 218, as so appearing, is hereby further
205 amended by striking out the words “Said facsimile”, in line 13, and inserting in place thereof the
206 following word:- Such.

207 SECTION 45. Section 44 of said chapter 218, as so appearing, is hereby amended by
208 inserting after the word “signed”, in line 2, the following words:- by hand or electronically.

209 SECTION 46. Section 14 of chapter 221 of the General Laws, as so appearing, is hereby
210 amended by inserting after the word “papers”, in line 4, the following words:- , whether in
211 physical or electronic form,.

212 SECTION 47. Section 17 of said chapter 221, as so appearing, is hereby amended by
213 striking out the word “A”, in line 1, and inserting in place thereof the following words:- An
214 authorized electronic rendering or a.

215 SECTION 48. Section 20 of chapter 223 of the General Laws, as so appearing, is hereby
216 amended by inserting after the word “signed”, in line 2, the following words:- , by hand or by
217 electronic means.

218 SECTION 49. Section 6 of chapter 248 of the General Laws, as so appearing, is hereby
219 amended by inserting after the word “signed”, in line 2, the following words:- , by hand or
220 electronically,.

221 SECTION 50. Notwithstanding any general or special law to the contrary, for cases that
222 are electronically filed in any state court in the commonwealth, any statutory requirement of a

223 written signature on a document to be filed or any statutory requirement of a written signature in
224 communications between the court and a party shall be satisfied if the document includes a
225 signature in a form authorized by the supreme judicial court, the appeals court, the trial court of
226 the commonwealth or any department of the trial court.

227 SECTION 51. To meet the expenditures necessary in carrying out section 2, the state
228 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
229 amount to be specified by the governor, but not exceeding in the aggregate \$94,000,000. All
230 such bonds issued by the commonwealth shall be designated on their face, Judiciary Information
231 Technology and Innovation Act of 2022, and shall be issued for a maximum term of years, not
232 exceeding 5 years, as the governor may recommend to the general court pursuant to section 3 of
233 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
234 June 30, 2032. All interest and payments on account of principal on these obligations shall be
235 payable from the General Fund. Notwithstanding any general or special law to the contrary,
236 bonds and interest thereon issued pursuant to this section shall be general obligations of the
237 commonwealth.

238 SECTION 52. To meet the expenditures necessary in carrying out section 2A, the state
239 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
240 amount to be specified by the governor, but not exceeding in the aggregate \$35,000,000. All
241 such bonds issued by the commonwealth shall be designated on their face, Judiciary Information
242 Technology and Innovation Act of 2022, and shall be issued for a maximum term of years, not
243 exceeding 5 years, as the governor may recommend to the general court pursuant to section 3 of
244 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
245 June 30, 2032. All interest and payments on account of principal on these obligations shall be

246 payable from the General Fund. Notwithstanding any general or special law to the contrary,
247 bonds and interest thereon issued pursuant to this section shall be general obligations of the
248 commonwealth.

249 SECTION 53. To meet the expenditures necessary in carrying out section 2B, the state
250 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
251 amount to be specified by the governor, but not exceeding in the aggregate \$35,000,000. All
252 such bonds issued by the commonwealth shall be designated on their face, Judiciary Information
253 Technology and Innovation Act of 2022, and shall be issued for a maximum term of years, not
254 exceeding 5 years, as the governor may recommend to the general court pursuant to section 3 of
255 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
256 June 30, 2032. All interest and payments on account of principal on these obligations shall be
257 payable from the General Fund. Notwithstanding any general or special law to the contrary,
258 bonds and interest thereon issued pursuant to this section shall be general obligations of the
259 commonwealth.

260 SECTION 54. Sections 3 and 23 to 50, inclusive, shall take effect 90 days after the
261 effective date of this act.