



## SENATE, No. 853

### **AN ACT** TO EXEMPT CERTAIN CRIMINAL MISDEMEANORS FROM THE HEARING PROVISIONS OF G.L. C. 218, SEC. 35A

*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 35A of chapter 218 of the General Laws, as most recently amended by  
2 section 200 of chapter 149 of the acts of 2004, is hereby further amended by inserting at the end  
3 thereof the following paragraph:-

4 This section shall not apply to (1) substitute complaints that are issued to correct a misstatement  
5 or omission of form in an earlier complaint; or (2) complaints for violations of section 82A of  
6 chapter 276; or (3) complaints that are issued after the accused was offered an opportunity to be  
7 heard pursuant to a civil citation procedure authorized by statute in which the accused was  
8 charged with the same conduct as a civil infraction.