

**HOUSE . . . . . No. 2333**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Carlos González and Judith A. Garcia*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish the Massachusetts incarcerated individual bone marrow and organ donation program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carlos González</i>	<i>10th Hampden</i>	<i>1/19/2023</i>
<i>Judith A. Garcia</i>	<i>11th Suffolk</i>	<i>1/20/2023</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/20/2023</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>1/25/2023</i>

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By Representatives González of Springfield and Garcia of Chelsea, a petition (accompanied by bill, House, No. 2333) of Carlos González, Judith A. Garcia and others for legislation to establish an incarcerated individual bone marrow and organ donation program within the Department of Correction. Public Safety and Homeland Security.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act to establish the Massachusetts incarcerated individual bone marrow and organ donation program.

*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. Chapter 127 of the General Laws is hereby amended by adding the  
2 following text after the word “petition”:-

3           Section 170. (a) The Commissioner of the Department of Corrections shall establish a  
4 Bone Marrow and Organ Donation Program within the Department of Correction and a Bone  
5 Marrow and Organ Donation Committee. The Bone Marrow and Organ Donation Program shall  
6 allow eligible incarcerated individuals to gain not less than 60 and not more than 365 day  
7 reduction in the length of their committed sentence in Department of Corrections facilities, or  
8 House of Correction facilities if they are serving a Department of Correction sentence in a House  
9 of Corrections facility, on the condition that the incarcerated individual has donated bone  
10 marrow or organ(s).

11 (b) The Bone Marrow and Organ Donation Committee shall consist of five members: The  
12 Commissioner of the Department of Correction or their designee who will act as chair of the  
13 committee; the Medical Director of the Department of Corrections or their designee; a Bone  
14 Marrow and Organ Donation Specialist from a hospital within the Commonwealth or their  
15 designee; a representative of an organization advocating for bone marrow donations within the  
16 Commonwealth or their designee; and two appointments shall be made by the Governor to serve  
17 three-year terms and one of whom shall be a board member of an advocacy group advocating for  
18 the rights of incarcerated individuals, and one of whom shall be from the Massachusetts District  
19 Attorney's Association. The Bone Marrow and Organ Donation Committee shall be responsible  
20 for the effective implementation and ongoing administration of the incarcerated individual Bone  
21 Marrow and Organ Donation program. The Bone Marrow and Organ Donation Committee shall  
22 also be responsible for promulgating standards of eligibility for incarcerated individuals to  
23 participate and the amount of bone marrow and organ(s) donated to earn one's sentence to be  
24 commuted. Annual reports including actual amounts of bone marrow and organ(s) donated, and  
25 the estimated life-savings associated with said donations, are to be filed with the Executive and  
26 Legislative branches of the Commonwealth. All costs associated with the Bone Marrow and  
27 Organ Donation Program will be done by the benefiting institutions of the program and their  
28 affiliates-not by the Department of Correction. There shall be no commissions or monetary  
29 payments to be made to the Department of Correction for bone marrow donated by incarcerated  
30 individuals.