HOUSE DOCKET, NO. 3489 FILED ON: 1/21/2011

# HOUSE . . . . . No. 3155

## The Commonwealth of Massachusetts

PRESENTED BY:

***Steven L. Levy***

*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 passage of the accompanying:

An Act relative to the safety of the children in the Commonwealth.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Steven L. Levy* | *4th Middlesex* |
| *Robert L. Hedlund* | ☐ *[District]* ☐ |
| *Bradley H. Jones, Jr.* | *20th Middlesex* |
| *Daniel K. Webster* | *6th Plymouth* |

HOUSE DOCKET, NO. 3489 FILED ON: 1/21/2011

# HOUSE . . . . . No. 3155

By Mr. Levy of Marlborough, a petition (accompanied by bill, House, No. 3155) of Steven L. Levy and others relative to the protection of children from sexual predators. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3529* OF 2009-2010.]

## The Commonwealth of Massachusetts

An Act relative to the safety of the children in the Commonwealth.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Paragraph 1 of section 22A of chapter 265 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the words:- "shall be punished by imprisonment in the state prison for life or for any term of years. A prosecution commenced under this section shall neither be continued without a finding not placed on file." and inserting in place thereof the following words:- "shall be punished in the state prison for life or for any term of years not less than ten years; provided, however, that a prosecution commenced under the provisions of this section shall not be placed on file or continued without finding. The sentence imposed on such person shall not be reduced to less than ten years, nor suspended, not shall any person convicted under this subsection be eligible for probation, parole, work release, or furlough or receive any deduction from his sentence for good conduct until he shall have served ten years of such sentence. The provision of section 87 of chapter 276 relating to the power of the court to place certain offenders on probation shall not apply to any person charged with a violation of this section."

SECTION 2. Section 23 of chapter 265 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the words:- "shall be punished by imprisonment in the state prison for life or for any term of years or, except as otherwise provided, for any term in a jail or house of correction. A prosecution commenced under this section shall neither be continued without a finding nor placed on file." and inserting in place thereof the following words:- "shall be punished by imprisonment in the state prison, in a jail or

house of correction for life or any term of years not less than five years; provided, however, that a prosecution commenced under the provisions of this section shall not be placed on file or continued without a finding. The sentence imposed on such person shall not be reduced to less than five years, not suspended, nor shall any person convicted under this subsection be eligible for probation, parole, work release, or furlough or receive any deduction from his sentence for good conduct until he shall have served five years of such sentence. The provisions of section 87 of chapter 276 relating to the power of the court to place certain offenders on probation shall not apply to any person charged with a violation of this section."

Section 3. Section 13B of chapter 265 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the words:- "shall be punished by imprisonment in the state prison for not more than 10 years, or by imprisonment in the house of correction for not more than 2½ years. A prosecution commenced under this section shall neither be continued without a finding nor placed on file." and inserting in place thereof the following words:- "shall be punished by imprisonment in the state prison, in a jail or house of correction for life or any term of years not less than five years; provided, however, that a prosecution commenced under the provisions of this section shall not be placed on file or continued without finding. The sentence imposed on such person shall not be reduced to less than five years, nor suspended, nor shall any person convicted under this subsection be eligible for probation, parole, work release, or furlough or receive any deduction from his sentence for good conduct until he shall have served five years of such sentence. The provisions of section 87 of chapter 276 relating to the power of the court to place certain offenders on probation shall not apply to any person charged with a violation of this section."