

HOUSE No. 1351

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to Increasing the Penalties for Breaking and Entering Dwellings During the Daytime with Intent to Commit a Felony..

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 17 of Chapter 266 of the General Laws, as appearing in the 2000
2 Official Edition, is hereby amended by striking out same and inserting in place thereof the
3 following:

4 (a)Whoever, in the night time, enters without breaking, or breaks and enters in the day
5 time, a building, ship, vessel, or vehicle, with intent to commit a felony, the owner or any other
6 person lawfully therein being put in fear, shall be punished by imprisonment in the state prison
7 for not more than ten years.

8 (b)Whoever, in the day time, breaks and enters a dwelling with intent to commit a felony,
9 the owner or any other person lawfully therein being put in fear, shall be punished by
10 imprisonment in the state prison for life or any term of years, provided that any sentence
11 imposed under the provisions of this paragraph shall be subject to the minimum requirements of
12 paragraph (c).