

**HOUSE . . . . . No. 1311**

---

The Commonwealth of Massachusetts

PRESENTED BY:

*Colleen M. Garry*

*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 creating the crime of criminal solicitation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/20/2011</i>

**HOUSE . . . . . No. 1311**

---

---

By Ms. Garry of Dracut, a petition (accompanied by bill, House, No. 1311) of Colleen M. Garry establishing the crime of criminal solicitation. The Judiciary.

---

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1394 OF 2009-2010.]

The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand Eleven  
\_\_\_\_\_

An Act creating the crime of criminal solicitation.

*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 274 of the General Laws, as appearing in the 2004 Official  
2 Edition, is hereby amended by adding at the end thereof the following section:— Section 8.  
3 Whoever, with the intent that another person engage in conduct constituting a felony, commands,  
4 incites, induces or exhorts a felony to be committed, whether such felony is attempted or  
5 completed, shall be guilty of criminal solicitation and shall be punished as follows: First, by  
6 imprisonment in state prison for not more than ten years, if he solicits the commission of murder  
7 in the first degree or murder in the second degree. Second, by imprisonment in the state prison  
8 for not more than five years or in a jail or house of correction for not more than two and one-half  
9 years, if he solicits the commission of a crime punishable with imprisonment in the state prison  
10 for five years or more.

11           Third, by imprisonment in a jail or house of correction for not more than one year or by a  
12 fine of not more than five thousand dollars, if he solicits the commission of a crime, punishable  
13 by imprisonment in the state prison for less than five years or by imprisonment in a jail or house  
14 of correction or by a fine.