

HOUSE No. 1318

The Commonwealth of Massachusetts

PRESENTED BY:

Russell E. Holmes

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 increasing penalties for felons in possession of firearms in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>1/19/2011</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>	<i>1/21/2011</i>
<i>John Hart, Jr.</i>		<i>2/3/2011</i>
<i>Nick Collins</i>	<i>4th Suffolk</i>	<i>2/4/2011</i>

HOUSE No. 1318

By Mr. Holmes of Boston, a petition (accompanied by bill, House, No. 1318) of Russell E. Holmes and others relative to increasing penalties for felons in possession of firearms. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act increasing penalties for felons in possession of firearms 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:

1 SECTION 1. Clause (d) of section 10 of chapter 269 of the General Laws, as so
2 appearing in the 2008 official edition, is hereby amended by adding the following paragraph :--

3 “ Whoever, after having been convicted in any court, of a crime punishable by
4 imprisonment for a term of 10 years or more, further commits an offense set forth in paragraph
5 (a), (b) or (c), shall be punished by imprisonment in the state prison for not less than 5 years.

6 The sentence imposed on such person shall not be reduced, nor suspended, nor shall any person
7 convicted under this subsection be eligible for probation, parole, work release, or furlough or
8 receive any deduction from his sentence for good conduct until he shall have served such

9 sentence; provided, however, that the commissioner of correction may on the recommendation of
10 the warden, superintendent, or other person in charge of a correctional institution, grant to an
11 offender committed under this subsection a temporary release in the custody of an officer of such
12 institution for the following purposes only: to attend the funeral of a relative; to visit a critically
13 ill relative; or to obtain emergency medical or psychiatric service unavailable at said institution.

14 Prosecutions commenced under this subsection shall neither be continued without a finding nor
15 placed on file.”