

# HOUSE . . . . . No. 401

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Bruce J. Ayers***

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*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 establishing a mandatory sentence for destruction, defacement or damage to burial tombs and grave markers.

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PETITION OF:

NAME:

*Bruce J. Ayers*

DISTRICT/ADDRESS:

*1st Norfolk*

DATE ADDED:

*1/18/2011*

# HOUSE . . . . . No. 401

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By Mr. Ayers of Quincy, a petition (accompanied by bill, House, No. 401) of Bruce J. Ayers that provision be made for a minimum mandatory sentence for the willful destruction of burial tombs and grave markers. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1269 OF 2009-2010.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act establishing a mandatory sentence for destruction, defacement or damage to burial tombs and grave markers.

*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 73 of Chapter 272 of the General Laws, as appearing in the 2008  
2   Official Edition, is hereby amended by inserting after the word “not”, as appearing in line 12, the  
3   following new text:—“less than one thousand dollars and not”.

4           SECTION 2. Section 73 of Chapter 272 of the General Laws, as appearing in the 2008  
5   Official Edition, is hereby amended by adding at the end thereof the following text:—

6           “The sentence imposed under this section shall not be reduced to less than 6 months, nor  
7   suspended, nor shall any person convicted under this section be eligible for probation, parole or  
8   furlough or receive any deduction from his sentence for good conduct until he shall have served  
9   no less than 6 months of such sentence. Prosecutions commenced under this section shall neither

10 be continued without a finding nor placed on file. The provisions of section 87-seven of chapter  
11 276 shall not apply to a person charged with a violation of this section.”