

SENATE No. 776

The Commonwealth of Massachusetts

PRESENTED BY:

Barry R. Finegold

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 relative to concealing controlled substances in an automobile..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Barry R. Finegold</i>	
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>

SENATE No. 776

By Mr. Finegold, a petition (accompanied by bill, Senate, No. 776) of Barry R. Finegold, Stephen L. DiNatale and Thomas M. Stanley for legislation to conceal controlled substances in an automobile. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1368 OF 2009-2010.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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An Act relative to concealing controlled substances in an automobile..

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 1 of chapter 94C of the General Laws, as appearing in the 2008
2 Official Edition, is hereby amended by inserting after the definition of “Drug paraphernalia” the
3 following definition:-

4 "False compartment", any box, container, space, or enclosure that is intended for use or
5 designed for use to conceal, hide, or otherwise prevent discovery of any controlled substance
6 within or attached to a vehicle.

7 SECTION 2. Said section 1 of chapter 94C, as so appearing, is hereby further amended
8 by inserting after the definition of “Ultimate user” the following definition:-

9 "Vehicle", any of the following vehicles without regard to whether the vehicles are
10 private or commercial, including, but not limited to, cars, trucks, buses, aircraft, boats, ships,
11 yachts, and vessels.

12 SECTION 3. Chapter 94C of the General Laws is hereby amended by adding the
13 following new section:-

14 Section 32L. (a) Any person who knowingly or intentionally possesses, uses, or controls
15 a false compartment with the intent to store, conceal, smuggle, or transport a controlled
16 substance within the false compartment shall be punished by a term of imprisonment in a state
17 prison for not less than 2 ½ nor more than 10 years or in a jail or house of correction for not
18 more than 2½ years or by a fine of no less than \$1,000 nor more than \$10,000 dollars, or by both
19 such fine and imprisonment. No sentence imposed under the provisions of this section shall be
20 for less than a mandatory minimum term of imprisonment of 2 years. In accordance with the
21 provisions of section 8A of chapter 279 such sentence shall begin from and after the expiration
22 of the sentence for a violation of section 32, 32A, 32B, 32C, 32D, 32E, 32F or 32I.

23 (b) Any person who designs, constructs, builds, alters, or fabricates a false compartment
24 for, or installs or attaches a false compartment to, a vehicle with the intent to store, conceal,
25 smuggle, or transport a controlled substance shall be punished by by a term of imprisonment in a
26 state prison for not less than 2 ½ nor more than 15 years or in a jail or house of correction for not
27 more than 2½ years or by a fine of no less than \$1,000 nor more than \$10,000 dollars, or by both
28 such fine and imprisonment. No sentence imposed under the provisions of this section shall be
29 for less than a mandatory minimum term of imprisonment of 2 years.