

HOUSE No. 1527

The Commonwealth of Massachusetts

PRESENTED BY:

Shaunna O'Connell and James J. Dwyer

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 the prevention of child sex abuse.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>	<i>1/14/2013</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>1/14/2013</i>
<i>Laurie Myers</i>	<i>Community VOICES (president) 7 Pinehill Avenue Chelmsford, MA 01824</i>	
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/1/2013</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>1/17/2013</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>1/29/2013</i>
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>	<i>2/1/2013</i>
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>	<i>1/29/2013</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>	<i>1/29/2013</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	<i>1/14/2013</i>
<i>Ryan C. Fattman</i>	<i>18th Worcester</i>	<i>1/30/2013</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/31/2013</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>	<i>1/31/2013</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/29/2013</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>2/1/2013</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>1/30/2013</i>

<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/1/2013</i>
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>	<i>2/1/2013</i>
<i>Joseph DiPietro, Protect Mass Children</i>	<i>1150 Walnut Street Newton, MA 02461</i>	
<i>John P. Fresolo</i>	<i>16th Worcester</i>	
<i>Bradford Hill</i>	<i>4th Essex</i>	
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>1/17/2013</i>

HOUSE No. 1527

By Representatives O'Connell of Taunton and Dwyer of Woburn, a petition (accompanied by bill, House, No. 1527) of Shaunna O'Connell, James J. Dwyer and others relative to the penalties for sexual abuse of a child under the age of 13. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the prevention of child sex abuse.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 265 of the General Laws, as appearing in the 2010 Official Edition, is hereby
2 amended by inserting after section 23, the following new section:-

3 Section 23 ½.

4 (a) Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and
5 abuses a child under 13 years of age, shall be punished by imprisonment in the state prison for
6 life or for any term of years, but not less than 25 years. The sentence imposed on such person
7 shall not be reduced to less than 25 years, or suspended, nor shall any person convicted under
8 this subsection be eligible for probation, parole, work release or furlough or receive any
9 deduction from his sentence for good conduct until he shall have served 25 years of such
10 sentence.

11 (b) Whoever is convicted of a second offense of this section shall be punished by
12 imprisonment in the state prison for life or for any term of years, but not less than 40 years. The
13 sentence imposed on such person shall not be reduced to less than 40 years, or suspended, nor
14 shall any person convicted under this subsection be eligible for probation, parole, work release or
15 furlough or receive any deduction from his sentence for good conduct until he shall have served
16 40 years of such sentence.

17 (c) Whoever is convicted of a third or subsequent offense of this section shall be
18 punished by imprisonment in the state prison for life. No person convicted of a third offense of
19 this section shall be eligible for parole.

20 Prosecutions commenced under this section shall neither be continued without a finding
21 nor placed on file.