

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas M. Stanley, (BY REQUEST)

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 destruction of monuments, graves, and tombstones.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David L. Smith</i>	<i>3 Waverly Oaks Road #202 Waltham, MA 02452</i>	

HOUSE No.

By Mr. Stanley of Waltham (by request), a petition (subject to Joint Rule 12) of David L. Smith relative to the penalties for destroying, defacing or removing a gravestone or other commemorative structure in a cemetery. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the destruction of monuments, graves, and tombstones.

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 1998
2 official edition, is hereby amended by striking out, in lines 10 to 12 inclusive, the words- "more
3 than five years or by imprisonment in jail or house of correction for not more than two and one
4 half years and by a fine of not more than five thousand dollars" and inserting in place thereof the
5 following words-less than one year nor more than five years or by imprisonment in the jail or
6 house of correction for not less than one year nor more than two and one half years and by a fine
7 of not less than \$1,000 nor more than \$5,000 for each count or offense. The words 'count' or
8 'offense' shall mean individual monument, gravestone, or tombstone desecrated, ruined, or
9 destroyed.

10 SECTION 2. Said Section 73 of said Chapter 272 is hereby further amended by adding
11 the following paragraph-

12 All monies received from fines imposed or penalties or restitution received through legal
13 actions under this section shall be utilized to fund the costs of repair, rehabilitation, replacement
14 of items damaged or destroyed, or installation of technical security measures.

15 SECTION 3. Said Section of said Chapter 272 is hereby further amended by adding the
16 following paragraph-

17 Any Court ordered Community Service of individuals or groups may be directed to other
18 necessary and similar projects, and should be considered exclusive of other fines, penalties, or
19 restitution received.