HOUSE DOCKET, NO. 2949 FILED ON: 1/16/2015

HOUSE . . . . . No. 1523

The Commonwealth of Massachusetts

PRESENTED BY:

Shaunna L. 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:
Shaunna L. O'Connell	*3rd Bristol*
James J. Dwyer	*30th Middlesex*
Donald R. Berthiaume, Jr.	*5th Worcester*
David F. DeCoste	*5th Plymouth*
Geoff Diehl	*7th Plymouth*
Carlos Gonzalez	*10th Hampden*
Robert L. Hedlund	*Plymouth and Norfolk*
Kevin J. Kuros	*8th Worcester*
Richard J. Ross	*Norfolk, Bristol and Middlesex*

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HOUSE . . . . . No. 1523

By Representatives O'Connell of Taunton and Dwyer of Woburn, a petition (accompanied by bill, House, No. 1523) of Shaunna L. O'Connell and others relative to the penalties for sexual abuse of a child under thirteen years of age. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

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:

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

Section 23 ½.

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

(b) Whoever is convicted of a second offense of this section shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 20 years. The sentence imposed on such person shall not be reduced to less than 20 years, or suspended, nor

13 shall any person convicted under this subsection be eligible for probation, parole, work release or
14 furlough or receive any deduction from his sentence for good conduct until he shall have served
15 20 years of such sentence.

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

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