

HOUSE No. 1557

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

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 to Properly Punish the Solicitation of Felony Crimes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/15/2015</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>2/2/2015</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>2/3/2015</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>1/28/2015</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/30/2015</i>

HOUSE No. 1557

By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 1557) of David M. Rogers and others relative to the solicitation of another to commit a felony. The Judiciary.

The Commonwealth of Massachusetts

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

An Act to Properly Punish the Solicitation of Felony Crimes.

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. Chapter 274 is hereby amended by adding after Section 7 the following
2 section: -

3 Section 8. Any person who solicits another to commit a felony shall be punished as
4 follows:

5 First, if the purpose of the solicitation or any of the means for achieving the purpose of
6 the solicitation is a felony punishable by death or imprisonment for life, by a fine of not more
7 than ten thousand dollars or by imprisonment in the state prison for not more than twenty years
8 or in jail for not more than two and one half years, or by both such fine and imprisonment.

9 Second, if clause first does not apply and the purpose of the solicitation or any of the
10 means for achieving the purpose of the solicitation is a felony punishable by imprisonment in the
11 state prison for a maximum period exceeding ten years, by a fine of not more than ten thousand

12 dollars or by imprisonment in the state prison for not more than ten years or in jail for not more
13 than two and one half years, or by both such fine and imprisonment.

14 Third, if clauses first and second do not apply and the purpose of the solicitation or any of
15 the means for achieving the purpose of the conspiracy is a felony punishable by imprisonment in
16 the state prison for not more than ten years, by a fine of not more than five thousand dollars or by
17 imprisonment in the state prison for not more than five years or in jail for not more than two and
18 one half years, or by both such fine and imprisonment.

19 Fourth, if clauses first through third do not apply and the purpose of the conspiracy or
20 any of the means for achieving the purpose of the conspiracy is a crime, by a fine of not more
21 than two thousand dollars or by imprisonment in jail for not more than two and one half years, or
22 both.

23 If a person is convicted of a crime of solicitation for which crime the penalty is expressly
24 set forth in any other section of the General Laws, the provisions of this section shall not apply to
25 said crime and the penalty therefor shall be imposed pursuant to the provisions of such other
26 section.