

SENATE No. 885

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 indictments and proceedings before trial.

PETITION OF:

NAME:

Michael O. Moore

DISTRICT/ADDRESS:

Second Worcester

SENATE No. 885

By Mr. Moore, a petition (accompanied by bill, Senate, No. 885) of Michael O. Moore for legislation relative to indictments and proceedings before trial. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1779 OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act relative to indictments and proceedings before trial.

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 63 of chapter 277, as appearing in the 2014 Official Edition, is hereby amended
2 by striking out the first paragraph and inserting in place thereof the following paragraph:-

3 An indictment or complaint for murder may be found at any time after the death of the
4 person alleged to have been murdered. An indictment or complaint for an offense set forth in
5 section 13B, 13B1/2, 13B3/4, 13F, 13L, 22A, 22B, 22C, 23, 23A, 23B, 24B or subsection (b) of
6 section 50 of chapter 265, for conspiracy to commit any of these offenses, as an accessory
7 thereto, or any 1 or more of them may be found and filed at any time after the date of the
8 commission of such offense; but any indictment or complaint found and filed more than 27 years
9 after the date of commission of such offense shall be supported by independent evidence that
10 corroborates the victim's allegation. Such independent evidence shall be admissible during trial

11 and shall not consist exclusively of the opinions of mental health professionals. An indictment or
12 compliant for an offense set forth in sections 22, 24 or subsection (a) of section 50 of chapter
13 265, or for conspiracy to commit either of these offenses or as an accessory thereto or any 1 or
14 more of them may be found and filed within 15 years of the date of commission of such offense.
15 An indictment or complaint for an offense set forth in sections 17, 18, 19 and 21 of said chapter
16 265 or section 17 of chapter 272, for conspiracy to commit any such crime, as an accessory
17 thereto, or any 1 or more of them may be found and filed within 10 years after the date of
18 commission of such offense. An indictment or complaint for any other crime shall be found and
19 filed within 6 years after such crime has been committed. Any period during which the defendant
20 is not usually and publicly a resident within the commonwealth shall be excluded in determining
21 the time limited.