

HOUSE No. 941

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>1/13/2017</i>
<i>Marian T. Ryan</i>	<i>Office of the Middlesex District Attorney 15 Commonwealth Ave, Woburn, MA 01801</i>	<i>1/13/2017</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Mike Connolly</i>	<i>26th Middlesex</i>	
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>	

HOUSE No. 941

By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 941) of David M. Rogers and others for legislation to properly punish the solicitation of felony crimes. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4005 OF 2015-2016.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

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

3 Section 8. Whoever solicits, counsels, advises, or otherwise entices another to
4 commit a crime that may be punished by imprisonment in the state prison and who intends that
5 the person, in fact, commit or procure the commitment of the crime alleged shall, except as
6 otherwise provided, be punished as follows:

7 First, by imprisonment for not more than 20 years in the state prison or for not
8 more than 2½ half years in a jail or house of correction, or by a fine of not more than \$10,000, or

by both such fine and imprisonment, if the intent of the solicitation, counsel, advice or enticement is a crime punishable by imprisonment for life.

Second, by imprisonment for not more than 10 years in the state prison or for not more than 2½ years in a jail or house of correction, or by a fine of not more than \$10,000, or by both such fine and imprisonment, if the intent of the solicitation, counsel, advice or enticement is a crime punishable by imprisonment in the state prison for 10 years or more.

Third, by imprisonment for not more than 5 years in the state prison or for not more than 2½ years in a jail or house of correction, or by a fine of not more than \$5,000, or by both such fine and imprisonment, if the intent of the solicitation, counsel, advice or enticement is a crime punishable by imprisonment in the state prison for 5 years or more.

Fourth, by imprisonment for not more than 2½ years in a jail or house of correction, or by a fine of not more than \$2,000, or by both such fine and imprisonment, if the intent of the solicitation, counsel, advice or enticement is a crime punishable by imprisonment in the state prison for less than 5 years.

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