

HOUSE No. 1400

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

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 ensuring the enforcement of mandatory minimums for firearm related crimes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/16/2019</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/23/2019</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>1/27/2019</i>

HOUSE No. 1400

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 1400) of Shawn Dooley, Timothy R. Whelan and Michael J. Soter relative to the enforcement of mandatory minimum sentences for firearm related crimes. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act ensuring the enforcement of mandatory minimums for firearm related 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 10 of Chapter 269 of the General Laws is hereby amended by inserting at the end
2 thereof the following:-

3 “p) A sentencing judge who fails or otherwise refuses to impose a sentence of the
4 required minimum term pursuant to this section shall not be entitled to judicial immunity and
5 may be held civilly liable for the damages caused in the commission of a felony by an offender
6 of this section after such offender’s release.

7 q) Any judge, justice, or other arbiter who releases a person accused of violating this
8 section on bail pursuant to section 58 of chapter 276 shall not be entitled to judicial immunity
9 and may be held civilly liable for the damages caused in the commission of a felony by said
10 person while out on said bail.”