HOUSE DOCKET, NO. 3624 FILED ON: 1/18/2019

HOUSE . . . . . No. 1542

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 relative to life without parole.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
David M. Rogers	*24th Middlesex*	*1/18/2019*
Mary S. Keefe	*15th Worcester*	*1/30/2019*
Marjorie C. Decker	*25th Middlesex*	*2/1/2019*
Rebecca L. Rausch	*Norfolk, Bristol and Middlesex*	*2/1/2019*

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By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 1542) of David M. Rogers and others relative to life sentences without eligibility for parole. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to life without parole.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 133A of chapter 127 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the words "for whom the court determined that they shall not be eligible for parole" after the words "at the time of the murder".

SECTION 2. Section 133B of chapter 127 of the General Laws, as so appearing is hereby amended by striking the words "subsection (e) of" in the final paragraph.

SECTION 3. Section 2 of chapter 265 of the General Laws, as so appearing, is hereby amended by striking the words "shall not be eligible for parole pursuant to section 133A of chapter 127" and inserting in place thereof the following:- "may be eligible for parole after a term of years fixed by the court pursuant to section 24 of chapter 279; provided that the court

shall set said term of years at no fewer than 35 years; and provided further, that the court may determine that the person shall not be eligible for parole".

SECTION 4. Section 24 of chapter 279 of the General Laws, as so appearing, is hereby amended by adding the following sentence to the end of the first paragraph:- In the case of a sentence for murder in the first degree committed by a person on or after the person's eighteenth birthday, the court either shall set a minimum term which shall be not less than 35 years or shall determine that the person shall not be eligible for parole.

SECTION 5. Section 25 of chapter 279 of the General Laws, as so appearing, is hereby amended by adding the words "; provided, however, that the court may set parole eligibility at 35 years or greater for a person who would otherwise face a life sentence without eligibility for parole under the provisions of this section;" after the words "enumerated in clause (i)" and after the words "person's sentence for good conduct."

SECTION 6. This Act shall apply to persons sentenced after the effective date of this Act.