HOUSE DOCKET, NO. 1964 FILED ON: 1/20/2011

HOUSE . . . . . No. 1351

The Commonwealth of Massachusetts

PRESENTED BY:

Shaunna O'Connell

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 the statute of limitations for the crime of rape.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Shaunna O'Connell	*3rd Bristol*
Kimberly N. Ferguson	*1st Worcester*
Sheila C. Harrington	*1st Middlesex*
Bradley H. Jones, Jr.	*20th Middlesex*
Steven L. Levy	*4th Middlesex*
Elizabeth A. Poirier	*14th Bristol*
George T. Ross	*2nd Bristol*

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HOUSE . . . . . No. 1351

By Mrs. O'Connell of Taunton, a petition (accompanied by bill, House, No. 1351) of Shaunna O'Connell and others relative to the statute of limitations for the crime of rape. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the statute of limitations for the crime of rape.

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 63 of chapter 277 of the General Laws, as most recently amended by chapter 267 of the acts of 2010, is hereby further amended by striking out the first paragraph in its entirety, and inserting in place thereof the following:

An indictment for murder may be found at any time after the death of the person alleged to have been murdered. An indictment or complaint for an offense set forth in section 13B, 13B1/2, 13B3/4, 13F, 13L, 22, 22A, 22B, 22C, 23, 23A, 23B, 24 or 24B of chapter 265, for conspiracy to commit any of these offenses, as an accessory thereto, or any 1 or more of them may be found and filed at any time after the date of the commission of such offense; but any indictment or complaint found and filed more than 27 years after the date of commission of such offense shall be supported by independent evidence that corroborates the victim's allegation. Such independent evidence shall be admissible during trial and shall not consist exclusively of the opinions of mental health professionals. An indictment for an offense set forth in sections 17, 18, 19 and 21 of said chapter 265 or section 17 of chapter 272, for conspiracy to commit any

14 such crime, as an accessory thereto, or any 1 or more of them may be found and filed within 10
15 years after the date of commission of such offense. An indictment for any other crime shall be
16 found and filed within 6 years after such crime has been committed. Any period during which
17 the defendant is not usually and publicly a resident within the commonwealth shall be excluded
18 in determining the time limited.