HOUSE DOCKET, NO. 2214 FILED ON: 1/20/2011

HOUSE . . . . . No. 2197

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 parole eligibility.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
Marc T. Lombardo	*22nd Middlesex*
Donald F. Humason, Jr.	*4th Hampden*
Geoff Diehl	*7th Plymouth*
Randy Hunt	*5th Barnstable*
F. Jay Barrows	*1st Bristol*
Shaunna O'Connell	*3rd Bristol*
Susan Williams Gifford	*2nd Plymouth*
Richard Bastien	*2nd Worcester*
Todd M. Smola	*1st Hampden*
Kevin J. Kuros	*8th Worcester*
Ryan C. Fattman	*18th Worcester*
Sheila C. Harrington	*1st Middlesex*
Nicholas A. Boldyga	*3rd Hampden*
Matthew A. Beaton	*11th Worcester*
Kimberly N. Ferguson	*1st Worcester*
Steven L. Levy	*4th Middlesex*
David T. Vieira	*3rd Barnstable*

George T. Ross	*2nd Bristol*
Paul Adams	*17th Essex*
George N. Peterson, Jr.	*9th Worcester*
Bradford Hill	*4th Essex*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*

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HOUSE . . . . . No. 2197

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2197) of Bradley H. Jones, Jr., and others relative to parole eligibility. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to parole eligibility.

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 2008 Official Edition, is hereby amended by striking in lines 1 through 8, inclusive, the first sentence and inserting in place thereof, the following:

Every prisoner who is serving a life sentence in a correctional institution of the commonwealth, except (1) prisoners confined to the hospital at the Massachusetts Correctional Institution, Bridgewater, (2) prisoners serving a life sentence for murder in the first degree, (3) prisoners serving more than one life sentence, either to be served consecutively or concurrently, and (4) prisoners sentenced to a second or subsequent life sentence; shall be eligible for parole, and the parole board shall, within 60 days before the expiration of 25 years of such sentence, conduct a public hearing before the full membership unless a member of the board is determined to be unavailable as provided in this section.

12 SECTION 2. Chapter 279 of the General Laws, as appearing in the 2008 Official Edition,
13 is hereby amended by striking section 24 in its entirety and inserting in place thereof the
14 following section:

15 Section 24. If a convict is sentenced to the state prison, as an habitual criminal, the court
16 shall not fix the term of imprisonment, but shall fix a maximum and a minimum term for which
17 he may be imprisoned. The maximum term shall not be longer than the longest term fixed by law
18 for the punishment of the crime of which he has be convicted, and the minimum term shall be a
19 term set by the court, except that, where an alternative sentence to a house of correction is
20 permitted for the offense, a minimum state prison term may not be less than one year. In the
21 case of a life sentence, the minimum term set by the court shall not be less than 25 years.