SENATE DOCKET, NO. 181 FILED ON: 1/18/2011

SENATE . . . . . No. 894

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

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 murder committed by youthful offenders..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James E. Timilty	
Bruce E. Tarr	
Christine E. Canavan	*10th Plymouth*
George T. Ross	*2nd Bristol*

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SENATE . . . . . No. 894

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 894) of James E. Timilty, Bruce E. Tarr, Christine E. Canavan and George T. Ross for legislation relative to murder committed by youthful offenders. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1824* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to murder committed by youthful offenders..

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 52 of Chapter 119 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended in line 13 by inserting after the word "committed," the following words:-- "while under the age of seventeen, murder in violation of section one of chapter two hundred sixty-five; or"

SECTION 2. Section 54 of Chapter 119, as so appearing, is hereby amended in line 15 by inserting after the second paragraph the following new paragraph:--

"The commonwealth may proceed by complaint in juvenile court or in a juvenile session of a district court, as the case may be, or by indictment as provided by chapter two hundred and seventy-seven, if a person while under the age of seventeen is alleged to have committed an offense in violation of section one of chapter two hundred and sixty-five."

11 SECTION 3: Section 72B of Chapter 119, as so appearing, is hereby amended by

12 inserting at the beginning thereof the following: --

13 "If a person is found guilty or adjudicated delinquent by reason of murder in the first

14 degree committed before his fourteenth birthday under the provisions of section one of chapter

15 two hundred and sixty-five, the person shall be sentenced to 20 years with possibility of parole

16 after 15 years; or if found guilty or adjudicated delinquent by reason of murder in second degree,

17 the person shall be sentenced to 15 years with possibility of parole after 10 years in accordance

18 with section fifty-eight of chapter one hundred nineteen."