HOUSE DOCKET, NO. 1483 FILED ON: 1/20/2011

# HOUSE . . . . . No. 1311

The Commonwealth of Massachusetts

PRESENTED BY:

***Colleen M. Garry***

*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 passage of the accompanying:

An Act creating the crime of criminal solicitation.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Colleen M. Garry* | *36th Middlesex* |

HOUSE DOCKET, NO. 1483 FILED ON: 1/20/2011

# HOUSE . . . . . No. 1311

By Ms. Garry of Dracut, a petition (accompanied by bill, House, No. 1311) of Colleen M. Garry establishing the crime of criminal solicitation. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1394* OF 2009-2010.]

## The Commonwealth of Massachusetts

An Act creating the crime of criminal solicitation.

*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. Chapter 274 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by adding at the end thereof the following section:— Section 8. Whoever, with the intent that another person engage in conduct constituting a felony, commands, incites, induces or exhorts a felony to be committed, whether such felony is attempted or completed, shall be guilty of criminal solicitation and shall be punished as follows: First, by imprisonment in state prison for not more than ten years, if he solicits the commission of murder in the first degree or murder in the second degree. Second, by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one-half years, if he solicits the commission of a crime punishable with imprisonment in the state prison for five years or more.

Third, by imprisonment in a jail or house of correction for not more than one year or by a fine of not more than five thousand dollars, if he solicits the commission of a crime, punishable by imprisonment in the state prison for less than five years or by imprisonment in a jail or house of correction or by a fine.