HOUSE DOCKET, NO. 2234 FILED ON: 1/20/2011

HOUSE . . . . . No. 1884

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 passage of the accompanying:

An Act establishing a Victims of Violent Crimes Lottery Fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
Donald F. Humason, Jr.	*4th Hampden*
Sheila C. Harrington	*1st Middlesex*
Angelo L. D'Emilia	*8th Plymouth*
F. Jay Barrows	*1st Bristol*
Todd M. Smola	*1st Hampden*
Paul K. Frost	*7th Worcester*
George N. Peterson, Jr.	*9th Worcester*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*

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HOUSE . . . . . No. 1884

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 1884) of Bradley H. Jones, Jr. and others relative to establishing the victims of violent crimes lottery fund. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *258* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act establishing a Victims of Violent Crimes Lottery Fund.

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 10 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding after section 35JJ, the following new section:--

Section 35KK. Victims of Violent Crimes Lottery Fund

(a) There shall be established a separate fund to be known as the Victims of Violent Crimes Lottery Fund. The fund shall receive 51 percent of lottery winnings totaling more than $50,000 from the following persons: those who have been convicted of murder pursuant to section 1 of chapter 265, voluntary manslaughter pursuant to section 13 of chapter 265, rape pursuant to section 22 of chapter 265, or rape of a child pursuant to section 22A, 22B, or 22C of chapter 265.

The state treasurer shall be the custodian of the fund and shall receive, deposit and invest all monies transmitted to him under this section in accordance with sections 34 and 38 of chapter 29 in such a manner as to secure the highest rate of return available consistent with the safety of the fund, and shall credit interest and earnings on the trust fund corpus to the trust fund.

(b) The state treasurer shall transfer funds from the income and receipts of the fund to the victim and witness assistance board, as established in section 4 of chapter 258B, periodically, at the request of the board.

17 The board shall award and administer grants from the fund, without further appropriation,
18 to community-based programs in the commonwealth to provide counseling and support services
19 to victims and families of victims of such violent crimes as murder and rape. The board shall
20 develop written criteria for the awarding of those grants, which shall be evaluated and, if
21 necessary, revised on an annual basis. For the purposes of this section, the word "victim" shall
22 have the same meaning as defined in section 1 of said chapter 258B.

23 The board shall file a report detailing the amount of funds collected and expended from
24 the fund along with a copy of the written criteria used to expend the funds to the house and
25 senate committees on ways and means not later than August 15 of each calendar year.

26 An amount not to exceed 5 percent of the total funds deposited in the fund may be
27 expended by the board for administrative costs directly attributable to the grants and programs
28 supported by the fund, including, but not limited to, the costs of clerical and support personnel.
29 Any unexpended balance of monies in the fund at the end of the fiscal year shall not revert to the
30 General Fund but shall remain available for expenditure from such fund in subsequent fiscal
31 years. No expenditure made from the fund shall cause the fund to become deficient at any point
32 during a fiscal year.

33 SECTION 2: Chapter 265 of the General Laws, as appearing in the 2008 Official Edition,
34 is hereby amended by adding, at the end thereof, the following new section:

35 Section 48.

36 Whoever has been convicted of murder pursuant to section 1, voluntary manslaughter
37 pursuant to section 13, rape pursuant to section 22, or rape of a child pursuant to section 22A,
38 22B, or 22C and thereafter profits an amount more than $50,000 from participating in the state
39 lottery as defined in sections 22 through 35, inclusive, of chapter 10 shall contribute 51 percent
40 of the proceeds to a victim's compensation fund as defined in section 35KK of chapter 10.

41 SECTION 3: The provisions of this act shall take effect upon its passage.