HOUSE DOCKET, NO. 621 FILED ON: 1/18/2011

HOUSE . . . . . No. 401

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce J. Ayers

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 mandatory sentence for destruction, defacement or damage to burial tombs and grave markers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bruce J. Ayers	*1st Norfolk*

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HOUSE . . . . . No. 401

By Mr. Ayers of Quincy, a petition (accompanied by bill, House, No. 401) of Bruce J. Ayers that provision be made for a minimum mandatory sentence for the willful destruction of burial tombs and grave markers. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1269* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act establishing a mandatory sentence for destruction, defacement or damage to burial tombs and grave markers.

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 73 of Chapter 272 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word "not", as appearing in line 12, the following new text:—"less than one thousand dollars and not".

SECTION 2. Section 73 of Chapter 272 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding at the end thereof the following text:—

"The sentence imposed under this section shall not be reduced to less than 6 months, nor suspended, nor shall any person convicted under this section be eligible for probation, parole or furlough or receive any deduction from his sentence for good conduct until he shall have served no less than 6 months of such sentence. Prosecutions commenced under this section shall neither be continued without a finding nor placed on file. The provisions of section 87-seven of chapter 276 shall not apply to a person charged with a violation of this section."