SENATE DOCKET, NO. 1424 FILED ON: 1/18/2013

SENATE . . . . . No. 805

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 relative to the statute of limitations for sex crimes in Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bruce E. Tarr	*First Essex and Middlesex*
John P. Fresolo	*16th Worcester*
Randy Hunt	*5th Barnstable*
F. Jay Barrows	*1st Bristol*
Cheryl A. Coakley-Rivera	*10th Hampden*
Christine E. Canavan	*10th Plymouth*
Ann-Margaret Ferrante	*5th Essex*
Nicholas A. Boldyga	*3rd Hampden*
Bradley H. Jones, Jr.	*20th Middlesex*
Joseph DiPietro, the President of Protect Mass Children	*1150 Walnut Street, Newton, MA*

SENATE DOCKET, NO. 1424 FILED ON: 1/18/2013

SENATE . . . . . No. 805

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 805) of Bruce E. Tarr, John P. Fresolo, Randy Hunt, F. Jay Barrows and other members of the General Court for legislation relative to the statute of limitations for sex crimes in Massachusetts. The Judiciary.

The Commonwealth of Massachusetts

An Act relative to the statute of limitations for sex crimes in Massachusetts.

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 277 Section 63 of the General Laws, as amended by sections 67 to 69, inclusive, or chapter 267 of the acts of 2010, is hereby further amended by striking out the 4th sentence and inserting in place thereof the following sentence.

An indictment for murder may be found at any time after the death of the person alleged to have been murdered. An indictment or complaint for an offense set forth in section 13B, 13B½, 13H, 13F, 22, 22A, 22B, 23, 23B, 24, 24B, 26, 26D, 26C, or 44 of chapter 265, section 3, 4, 4A, 4B, 28, 29A, 29B, 29C, 35, 35A, or 53A (C) of chapter 272, or for conspiracy to commit either of these offenses or as an accessory thereto or any 1 or more of them may be found and filed at any time after the date of the commission of such offense.

Such a claim will not be allowable unless:

(a) A licensed Massachusetts psychologist supports said claim (s) of the victim.

(b) Legal counsel is willing to represent the victim.

(c) The district attorney in the county in which the alleged crime(s) occurred supports the indictment or the alleged perpetrator.

There shall be a three year retroactive window for plaintiffs to file such claims.