

HOUSE No. 2413

[Substituted by the House, on motion of Mr. Carman of Springfield, for the House report of the committee on the Judiciary, reference to the next annual session (under Joint Rule 10), on the petition (accompanied by bill, House, No. 457) of Adolph Johnson that persons committed to penal or reformatory institutions be disqualified from holding elective or appointive offices in the service of the Commonwealth or any of its subdivisions. June 15.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

AN ACT MAKING PERSONS HOLDING PUBLIC OFFICE INELIGIBLE TO SERVE THEREIN AFTER THEIR COMMITMENT FOR A FELONY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 279 of the General Laws is hereby amended
2 by striking out section 30, as appearing in the Ter-
3 centenary Edition, and inserting in place thereof the
4 following:—

5 *Section 30.* If a convict who shall be sentenced by
6 a court of any state of the United States to imprison-
7 ment for two and one half years or more for a felony
8 or by a court of the United States to imprisonment for
9 a felony, holds an office under the constitution or laws
10 of the commonwealth at the time of sentence, it shall
11 be vacated from the time of commitment. If the

12 judgment against him is reversed upon writ of error or
13 appeal, he shall be restored to his office with all its
14 rights and emoluments, but, if pardoned, he shall not
15 by reason thereof be restored unless it is so expressly
16 ordered by the terms of the pardon.