SENATE No. 238

By Mr. Doris, a petition (accompanied by bill, Senate, No. 238) of Francis D. Doris for legislation to provide penalties for the malicious defacement of public and private property within the Commonwealth. Criminal Justice.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-three.

AN ACT RELATIVE TO THE MALICIOUS DEFACEMENT OF PUBLIC AND PRIVATE PROPERTY WITHIN THE COMMONWEALTH OF MASSACHUSETTS.

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

1 Section 1. Notwithstanding the provisions of Chapter 266 2 of the General Laws to the contrary, whoever willfully, in-3 tentionally and without right, or wantonly, maliciously and

4 without cause destroys, defaces, mars or injures the walls,

5 wainscoting or any other part of any building belonging to 6 the commonwealth of Massachusetts, or any church, syna-

7 gogue or other building erected or used for religious services

8 or religious instruction, or any monument, tablet or other

9 device erected to mark an historic place to commemorate an

10 historic event, or any part of any building or structure the

11 walls, wainscoting or any other part of any building belong-

12 ing to the commonwealth of Massachusetts or any of its politi-

13 cal sub-divisions, or any playground apparatus or equipment

14 located in a public park or playground, or any private dwell-

15 ing house or other building, or any timber trees or wood,

16 ferns, flowers, shrubs or produce shall upon complaint of such

17 municipal or public officer, or of such owner or tenant be

18 punished by a fine of not less than one thousand nor more

19 than five thousand dollars, and in addition shall forfeit to the

15 than live thousand donars, and in addition shan forten to the

20 use of the public or private owner of such property or the

21 tenant thereof the cost of removing or obliterating such de-

22 facement to be recovered in an action of tort.

1 Section 2. This act shall take effect upon its passage.

