

[Similar Matter Filed During Past Session —
See Senate No. 1493 of 1982]

SENATE No. 281

By Mr. Reilly, a petition (accompanied by bill, Senate, No. 281) of Martin T. Reilly and Denis L. McKenna for legislation to impose a penalty for breaking and entering the dwelling of an elderly person. Criminal Justice.

The Commonwealth of Massachusetts

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

**AN ACT IMPOSING A PENALTY FOR BREAKING AND ENTERING THE
DWELLING OF AN ELDERLY PERSON.**

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 266 of the General Laws is hereby amended by
- 2 inserting after section 16A the following section: —
- 3 *Section 16B.* Whoever, being sixteen years or older, in the
- 4 nighttime or daytime, knowingly and maliciously breaks and
- 5 enters the dwelling of another person who is sixty years or
- 6 older shall be punished by imprisonment for no less than one
- 7 year nor more than five years. The imposition or execution
- 8 of this sentence shall not be suspended, and no probation or
- 9 parole shall be granted until the minimum imprisonment
- 10 herein provided for the offense shall have been served.

