

By Mr. Fitzgerald of Boston, petition of Kevin W. Fitzgerald, Michael W. Morrissey and Lida E. Harkins for legislation to provide for drug free public housing zones. Criminal Justice.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT PROVIDING FOR DRUG FREE PUBLIC HOUSING ZONES.

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 94C of the General Laws is hereby further amended
2 by deletion of Section 32J and insertion of the following in place
3 thereof:

4 "Section 32J. Any person who violates the provisions of section
5 thirty-two, thirty-two A, thirty-two B, thirty-two C, thirty-two D,
6 thirty-two E, thirty-two F or thirty-two I while in or on, or within
7 one thousand feet of the real property comprising a public housing
8 project, a public or private elementary, vocational, or secondary
9 school whether or not in session shall be punished by a term of
10 imprisonment in the state prison for not less than two and one-
11 half nor more than fifteen years or by imprisonment in a jail or
12 house of correction for not less than two nor more than two and
13 one-half years. No sentence imposed under the provisions of this
14 section shall be for less than a mandatory minimum term of
15 imprisonment of two years. A fine of not less than one thousand
16 nor more than ten thousand dollars may be imposed but not in
17 lieu of the mandatory minimum two year term of imprisonment
18 as established herein. In accordance with the provisions of section
19 eight A of chapter two hundred and seventy-nine such sentence
20 shall begin from and after the expiration of the sentence for
21 violation of section thirty-two, thirty-two A, thirty-two B, thirty-
22 two C, thirty-two D, thirty-two E, thirty-two F or thirty-two I.

23 Lack of knowledge of public housing project boundaries or
24 school boundaries shall not be a defense to any person who
25 violates the provisions of this section."

