

(Similar Matter Filed During Previous Session — See Senate, No. 457.)

**SENATE . . . . . No. 22**

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By Mr. Aylmer, a petition (accompanied by bill, Senate, No. 22) of John F. Aylmer for legislation to impose a mandatory sentence of five years for committing a felony while armed. The Judiciary.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Three.

**AN ACT IMPOSING A MANDATORY SENTENCE OF FIVE YEARS FOR  
COMMITTING A FELONY WHILE ARMED.**

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

1 Notwithstanding the provisions of any other law, whoever  
2 commits an offense which may be punished by imprisonment  
3 in the state prison for more than two and a half years while  
4 armed with a firearm shall, in addition to the penalty for such  
5 offense, be punished by imprisonment in the state prison for  
6 five years, which sentence shall not be suspended, nor shall  
7 such person be parolled prior to the expiration of five years,  
8 nor shall such person earn from such sentence deductions for  
9 good conduct while in prison.

By Mr. Wilson a petition presented by Mr. Wilson for the  
removal of the name of the State from the title of the  
State for committing a felony which was.

**The Constitutionality of the Act**

In the Year One Thousand Nine Hundred and Seventy-Six

**AN ACT IMPOSING A MANDATORY PENALTY OF FIVE YEARS FOR  
COMMITTING A FELONY WHICH WAS**

Enacted by the General Assembly of the State of New York  
and published for the purpose of the constitutionality of the

1. Notwithstanding the provisions of any other law, no person
2. committing an offense which may be punished by imprisonment
3. in the state prison for more than two and a half years shall
4. stand with a lifetime term, in addition to the penalty for such
5. offense, be punished by imprisonment in the state prison for
6. five years which sentence shall not be suspended, nor shall
7. such person be paroled in the discretion of the board.
8. nor shall such person serve such sentence subsequent to
9. such conviction while in prison.