

By Mr. Pacheco of Taunton, petition of Marc R. Pacheco and Vincent P. Ciampa relative to the extending of drug free zones to municipal parks, public playgrounds and recreation areas. Criminal Justice.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT EXTENDING DRUG FREE ZONES TO MUNICIPAL PARKS, PUBLIC PLAYGROUNDS AND RECREATION AREAS.

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 amended by
2 inserting after section 32J, as inserted by section 2 of chapter 227
3 of the acts of 1989, the following section: —
4 Section 32K. 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 park,
8 playground or recreation area established under or governed by
9 the provisions of chapter forty-five or chapter one hundred thirty-
10 two A shall be punished by a term of imprisonment in the state
11 prison for not less than two and one-half nor more than fifteen
12 years or by imprisonment in a jail or house of correction for not
13 less than two nor more than two and one-half years. No sentence
14 imposed by this section shall be for less than a mandatory
15 minimum term of imprisonment of two years. A fine of not less
16 than one thousand nor more than ten thousand dollars may be
17 imposed but not in lieu of the mandatory minimum two year term
18 of imprisonment as established herein. In accordance with the
19 provisions of section eight A of chapter two hundred and seventy-
20 nine such sentence shall begin from and after the expiration of
21 the sentence for violation of section thirty-two, thirty-two A,

22 thirty-two B, thirty-two C, thirty-two D, thirty-two E, thirty-
23 two F or thirty-two I.

24 Lack of knowledge of the boundaries of said park, playground
25 or recreation area shall not be a defense to any person who violates
26 the provisions of this section.