

By Mr. Collaro of Worcester, petition of John J. Conte, Andrew Collaro, William J. Glodis, Jr., Richard T. Moore, Kevin O'Sullivan, Robert A. Antonioni and Marie J. Parente for legislation to provide for mandatory sentences for trafficking in certain controlled substances. Criminal Justice.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR MANDATORY SENTENCES FOR TRAFFICKING IN CERTAIN CONTROLLED SUBSTANCES.

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. Paragraph (1) of subsection (b) of section 32E
2 of chapter 94C of the General Laws is hereby amended by striking
3 out, in line 2, the word "three" and inserting in place thereof the
4 word: — five.

1 SECTION 2. Said paragraph (1) of subsection (b) of section
2 32E of chapter 94C is hereby further amended by striking out,
3 in line 4, the words "three years" and inserting in place thereof
4 the words: — five years.

1 SECTION 3. Paragraph (2) of subsection (b) of section 32E
2 of chapter 94C of the General Laws is hereby amended by striking
3 out, in line 2, the word "five" and inserting in place thereof the
4 word: — seven.

1 SECTION 4. Said paragraph (2) of subsection (b) of section
2 32E of chapter 94C is hereby further amended by striking out,
3 in line 4, the words "five years" and inserting in place thereof the
4 words: — seven years.

1 SECTION 5. Paragraph (3) of subsection (b) of section 32E
2 of chapter 94C of the General Laws is hereby amended by striking

3 out the words “two hundred grams” and inserting in place thereof
4 the words: — one hundred fifty grams.

1 SECTION 6. Subsection (b) of section 32E of chapter 94C is
2 hereby amended by striking out paragraph (4) and inserting in
3 place thereof the following two paragraphs: —

4 (4) One hundred fifty grams or more, but less than two hundred
5 grams, be punished by a term of imprisonment in the state prison
6 for not less than twelve nor more than twenty years. No sentence
7 imposed under the provisions of this clause shall be for less than
8 a mandatory minimum term of imprisonment of twelve years and
9 a fine of not less than twelve thousand five hundred nor more than
10 one hundred twenty-five thousand dollars may be imposed, but
11 not in lieu of the mandatory minimum term of imprisonment, as
12 established herein.

13 (5) Two hundred grams or more, be punished by a term of
14 imprisonment in the state prison for not less than fifteen nor more
15 than twenty years. No sentence imposed under the provisions of
16 this clause shall be less for than a mandatory minimum term of
17 imprisonment of fifteen years and a fine of not less than fifty
18 thousand nor more than five hundred thousand dollars may be
19 imposed but not in lieu of the mandatory minimum term of
20 imprisonment, as established herein.