

By Mrs. Kehoe of Dedham, petition of Marie-Louise Kehoe relative to the penalty for fraud against elderly persons. Criminal Justice.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO FRAUD AGAINST THE ELDERLY.

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 inserting
2 after section 30A, the following section: —

3 *Section 30B.* Whoever, with intent to defraud obtains by a false
4 pretense from a person sixty-five years or older, money or other
5 property which may be the subject of larceny shall be punished by
6 imprisonment for not more than five years or in jail for not more
7 than two and one half years.

8 Whoever, after having been convicted of said crime commits a
9 second or subsequent such crime, shall not have said second or
10 subsequent conviction placed on file, suspended, or continued
11 without a finding, nor shall the sentence imposed be less than one
12 year of imprisonment.

13 Provided further that said sentence shall not be reduced until one
14 year of said sentence has been served nor shall the person convicted
15 by eligible for probation, parole, furlough, work release or receive
16 any deduction from his sentence for good conduct until he shall
17 have served one year of such sentence, provided, however, that the
18 commission of correction may, on the recommendation of the
19 warden, superintendent, or other person in charge of a correctional
20 institution, or the administrator of a county correctional institu-
21 tion, grant to said offender a temporary release in the custody of an
22 officer of such institution for the following purposes only: to attend
23 the funeral of next of kin or spouse; to visit a critically ill close
24 relative or spouse; or to obtain emergency medical services unavail-
25 able at said institutions.

