

HOUSE No. 1081

By Mr. Stoddart of Natuck, petition of Douglas W. Stoddart for legislation to further regulate sentencing for certain misdemeanors. Criminal Justice.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING SENTENCING FOR CERTAIN MISDEMEANORS.

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 279 of the General Laws is hereby amended by
- 2 inserting after section 5 the following section:—
- 3 Section 5A. Notwithstanding the sentencing provisions of
- 4 existing statutes, the court shall first consider a sentence of con-
- 5 tinued without a finding for those offenses which are prosecuted
- 6 as misdemeanors and in which the circumstances are not egre-
- 7 gious or aggravated; provided, however, that the defendant shall
- 8 be a first time offender.

