

SENATE No. 160

By Mr. Keating, a petition (accompanied by bill, Senate, No. 160) of William R. Keating for legislation to provide mandatory minimum terms of imprisonment for certain drug offenses. Criminal Justice.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR MANDATORY MINIMUM TERMS OF IMPRISONMENT
FOR CERTAIN DRUG OFFENSES.

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. Section 32E of chapter 94C of the General Laws,
2 as appearing in the 1988 Official Edition, is hereby amended by
3 striking out in lines 86 and 88 the word "twenty-eight" and
4 inserting in place thereof the word: — fourteen.

1 SECTION 2. Paragraph (c) of said section 32E of said chap-
2 ter 94C, as so appearing, is hereby amended by striking out
3 clauses 1, 2 and 3 and inserting in place thereof the following four
4 clauses: —

5 (1) Fourteen grams but less than twenty-eight grams shall be
6 punished by a term of imprisonment in the state prison for not less
7 than five nor more than twenty years. No sentence imposed
8 mandatory minimum term of imprisonment of five years and a
9 fine of not less than five thousand nor more than fifty thousand
10 dollars may be imposed but not in lieu of the mandatory minimum
11 term of imprisonment, as established herein.

12 (2) Twenty-eight grams or more, but less than one hundred
13 grams, be punished by a term of imprisonment in the state prison
14 for not less than seven nor more than twenty years. No sentence
15 imposed under the provisions of this clause shall be for less than
16 mandatory minimum term of seven years, and a fine of not less
17 than five thousand nor more than fifty thousand dollars may be

18 imposed, but not in lieu of the mandatory minimum terms of
19 imprisonment, as established herein.

20 (3) One hundred grams or more but less than two hundred
21 grams, be punished by a term of imprisonment in the state prison
22 for not less than ten nor more than twenty years. No sentence
23 imposed under the provisions of this clause shall be for less than
24 the mandatory minimum term of imprisonment of ten years, and a
25 fine of not less than ten thousand nor more than one hundred thou-
26 sand dollars may be imposed but not in lieu of the mandatory min-
27 imum terms of imprisonment, as established herein.

28 (4) Two hundred grams or more, be punished by a term of
29 imprisonment in the state prison for not less than fifteen nor more
30 than twenty years. No sentence imposed under the provisions of
31 this clause shall be for less than a mandatory minimum term of
32 imprisonment of fifteen years, and a fine of not less than fifty
33 thousand nor more than five hundred thousand dollars may be
34 imposed but not in lieu of the mandatory minimum terms of
35 imprisonment, as established herein.