

By Mr. Lees, a petition (accompanied by bill, Senate, No. 984) of Brian P. Lees, Richard R. Tisei, Bruce E. Tarr, Michael R. Knapik and other members of the General Court for legislation relative to increasing the criminal penalties for repeat dangerous weapon felony convictions. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO INCREASING THE CRIMINAL PENALTIES FOR REPEAT DANGEROUS WEAPON FELONY CONVICTIONS.

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 10 of chapter 269 of the General Laws, as appearing in
2 the 2000 Official Edition, is hereby amended by striking out sub-
3 section (d) and inserting in place thereof the following subsec-
4 tion:—

5 (d) Whoever, having been previously convicted of a felony,
6 commits any of the offenses set forth in paragraph (a) or (c), shall
7 be punished by imprisonment in the state prison for not less than
8 three years nor more than 15 years. Such sentence shall not be
9 reduced to less than three years nor suspended. Nor shall a person
10 so convicted be placed on probation.

11 Whoever, having been previously convicted of two felonies
12 arising from separate incidences, commits any of the offenses set
13 forth in paragraph (a) or (c), shall be punished by imprisonment in
14 the state prison for not less than ten years nor more than 15 years.
15 Such sentence shall not be reduced to less than ten years nor sus-
16 pended. Nor shall a person so convicted be placed on probation.

17 Whoever, having been previously convicted of three felonies
18 arising from separate incidences, commits any of the offenses set
19 forth in paragraph (a) or (c), shall be punished by imprisonment in
20 the state prison for not less than 15 years nor more than 20 years.

21 Such sentence shall not be reduced to less than 15 years nor sus-
22 pended. Nor shall a person so convicted be placed on probation.