

By Mr. Mariano of Quincy, petition, of Ronald Mariano relative to the penalty of criminal solicitation. Criminal Justice.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT RELATIVE TO CRIMINAL SOLICITATION.

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 274 of the General Laws, as appearing in the 1998
2 Official Edition, is hereby amended by adding at the end thereof
3 the following section:—

4 Section 8. Whoever, with the intent that another person engage
5 in conduct constituting a felony, commands, incites, encourages,
6 requests, counsels or otherwise procures the commission of a
7 felony shall be guilty of criminal solicitation and shall be pun-
8 ished as follows:

9 First, if he solicits the commission of a felony punishable by
10 imprisonment for life, by imprisonment in the state prison for not
11 more than twenty years or in a jail or house of correction for not
12 more than two and one-half years or by a fine of not more than
13 fifteen thousand dollars or by both such fine and imprisonment.

14 Second, if he solicits the commission of a felony punishable by
15 imprisonment in the state prison for ten years or more, by impris-
16 onment in the state prison for not more than ten years or in a jail
17 or house of correction for not more than two and one-half years or
18 by a fine of not more than ten thousand dollars or by both such
19 fine and imprisonment.

20 Third, if he solicits the commission of a felony punishable by
21 imprisonment in the state prison for less than ten years, by impris-
22 onment in the state prison for not more than five years or by
23 imprisonment in a jail or house of correction for not more than
24 two and one-half years or by a fine of not more than five thousand
25 dollars or by both such fine and imprisonment.

26 Fourth, if he solicits the commission of a felony punishable by
27 imprisonment in a jail or a house of correction or by a fine, by not
28 more than two and one-half years in a jail or house of correction
29 or by a fine of not more than five thousand dollars or by both such
30 fine and imprisonment.