

By Mr. Switzler of Wellesley, petition of Royall H. Switzler for a legislative amendment to the Constitution relative to the conviction of crimes by officeholders. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION RELATING TO THE CONVICTION OF CRIMES BY OFFICEHOLDERS.

1 A majority of all the members elected to the Senate and House of
2 Representatives, in joint session, hereby declares it to be expedient
3 to alter the constitution by the adoption of the following Article of
4 Amendment, to the end that it may become a part of the Constitu-
5 tion [if similarly agreed to in a joint session of the next General
6 Court and approved by the people at the state election next follow-
7 ing]:

8 **ARTICLE OF AMENDMENT**

9 **ART. . SECTION 1.** Any person holding an elected or ap-
10 pointed state, county or municipal office who is convicted of a
11 misdemeanor committed in the exercise of the office or of any
12 felony shall be deemed to have resigned the office and shall receive
13 no further salary, privileges, or other benefits from the office as of
14 the date of the conviction. If convicted of a felony committed in
15 the exercise of the office, all pension, retirement, and other such
16 benefits which accrued while holding the office shall be forfeited as
17 of the date of the conviction. Any vacancies so occurring shall be
18 filled in the same manner as if the person had submitted a written
19 resignation in the appropriate manner.

20 No person shall be a candidate for or be elected or appointed to
21 any state, county or municipal office while completing any term or

22 condition of a sentence imposed as a result of such a conviction
23 including without limitation any probation, parole, or fine so
24 imposed.

1 SECTION 2. The provisions of this article shall apply to per-
2 sons convicted after December 31, 1982.