

HOUSE No. 4723

By Mr. DeNucci of Newton, petition of A. Joseph DeNucci that provision be made for mandatory prison sentences upon conviction for certain crimes where a firearm is involved. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT PROVIDING FOR MANDATORY MINIMUM SENTENCES UPON CONVICTION FOR CERTAIN CRIMES WHERE A FIREARM IS INVOLVED.

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 265 of the General Laws is hereby amended by striking
2 out section 18B, as most recently amended by chapter 830 of the acts
3 of 1974, and inserting in place thereof the following section: —
4 *Section 18B.* Whoever while committing the offense of man-
5 slaughter, indecent assault and battery on a child under fourteen,
6 mayhem, assault and battery with a dangerous weapon, armed rob-
7 bery, armed assault with intent to rob, armed assault in a dwelling
8 house, stealing by confining or fear, rape, rape of a child, rape and
9 abuse of a child, assault with intent to rape, assault of a child with
10 intent to rape and kidnapping, shall, if a firearm as defined in section
11 one hundred and twenty-one, a rifle or a shotgun, whether or not
12 loaded, is carried on the person of the defendant be punished by
13 imprisonment in the state prison for not less than the minimum
14 sentence designated for such crime. Such sentence shall not be
15 suspended, nor shall such person be eligible for probation, parole, or
16 furlough or receive any deduction from his sentence for good
17 conduct. Prosecution commenced under this section shall not be
18 continued without a finding or placed on file.

