

**HOUSE . . . . . No. 01311**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Colleen M. Garry*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act creating the crime of criminal solicitation.

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PETITION OF:

NAME:

*Colleen M. Garry*

DISTRICT/ADDRESS:

*36th Middlesex*

# HOUSE . . . . . No. 01311

By Ms. Colleen M. Garry of Dracut, petition (accompanied by bill, House, No. 01311) of Colleen M. Garry establishing the crime of criminal solicitation. Joint Committee on the Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 1394 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act creating the crime of 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 SECTION 1. Chapter 274 of the General Laws, as appearing in the 2004 Official Edition, is  
2 hereby amended by adding at the end thereof the following section:— Section 8. Whoever, with  
3 the intent that another person engage in conduct constituting a felony, commands, incites,  
4 induces or exhorts a felony to be committed, whether such felony is attempted or completed,  
5 shall be guilty of criminal solicitation and shall be punished as follows: First, by imprisonment  
6 in state prison for not more than ten years, if he solicits the commission of murder in the first  
7 degree or murder in the second degree. Second, by imprisonment in the state prison for not more  
8 than five years or in a jail or house of correction for not more than two and one-half years, if he  
9 solicits the commission of a crime punishable with imprisonment in the state prison for five  
10 years or more.

11 Third, by imprisonment in a jail or house of correction for not more than one year or by a fine of  
12 not more than five thousand dollars, if he solicits the commission of a crime, punishable by  
13 imprisonment in the state prison for less than five years or by imprisonment in a jail or house of  
14 correction or by a fine.