

HOUSE No. 1358

The Commonwealth of Massachusetts

PRESENTED BY:

James H. Fagan

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 Relative to Certain Criminal Sentences.

PETITION OF:

NAME:

James H. Fagan

DISTRICT/ADDRESS:

3rd Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1400 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO CERTAIN CRIMINAL SENTENCES.

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 279 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by
2 inserting after section 4B the following section:—

3 Section 4C. The trial judge, in a district or superior court, upon his own motion or the written motion of a defendant
4 filed within twenty-four months after the imposition of the sentence, within twenty-four months after receipt by the
5 trial court of a rescript issued upon affirmance of the judgment or dismissal of the appeal, or within twenty-four
6 months after entry of any order or judgment of an appellate court denying review of, or having the effect of
7 upholding a judgment of conviction, may, upon such terms and conditions as he shall order, revise or revoke such
8 sentence if it appears that justice may not have been done.