

**SENATE . . . . . No. 2246**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Fourteen**  
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SENATE, July 7, 2014

The committee on Ways and Means, to whom was referred the House Bill relative to juvenile life sentences (House, No. 4184); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2246; and by striking out the title and inserting in place thereof the following title “An Act relative to juvenile life sentences for first-degree murder”

For the committee,  
Stephen M. Brewer

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In the Year Two Thousand Fourteen  
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1 SECTION 1. Section 133A of chapter 127 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by inserting after the word “degree”, in line 5, the following  
3 words:- who had attained the age of 18 years at the time of the murder.

4 SECTION 2. Said section 133A of said chapter 127, as so appearing, is hereby further  
5 amended by inserting after the word “granted”, in line 47, the following words:- “to a prisoner,  
6 except a prisoner serving a life sentence for murder in the first degree committed by the prisoner  
7 on or after the prisoner’s fourteenth birthday and before the prisoner’s eighteenth birthday”.

8 SECTION 3. The third paragraph of said section 133A of said chapter 127, as so  
9 appearing, is hereby further amended by adding the following 2 sentences:- If such permit is not  
10 granted to a prisoner serving a life sentence for murder in the first degree committed by the  
11 prisoner on or after the prisoner’s fourteenth birthday and before the prisoner’s eighteenth  
12 birthday, the parole board shall, at least once in each ensuing 10-year period, consider carefully  
13 and thoroughly the merits of each such case on the question of releasing such prisoner on parole  
14 and may by a vote of 2/3 of its members grant such parole permit.

15 SECTION 4. Section 133C of said chapter 127, as so appearing, is hereby amended by  
16 inserting after the word “degree”, in line 6, the following words:- who had attained the age of 18  
17 years at the time of the murder.

18 SECTION 5. Chapter 265 of the General Laws is hereby amended by striking out section  
19 2, as so appearing, and inserting in place thereof the following section:-

20 Section 2. (a) Except as provided in subsection (b), any person who is found guilty of  
21 murder in the first degree shall be punished by imprisonment in the state prison for life and shall  
22 not be eligible for parole under subsection (a) of section 133A of chapter 127.

23 (b) Any person who is found guilty of murder in the first degree who committed the  
24 offense on or after the person’s fourteenth birthday and before the person’s eighteenth birthday

25 shall be punished by imprisonment in the state prison for life and shall be eligible for parole after  
26 the term of years fixed by the court pursuant to section 24 of chapter 279.

27 (c) Any person who is found guilty of murder in the second degree shall be punished by  
28 imprisonment in the state prison for life and shall be eligible for parole after the term of years  
29 fixed by the court pursuant to section 24 of chapter 279.

30 (d) Any person whose sentence for murder is commuted by the governor and council  
31 under section 152 of chapter 127 shall thereafter be subject to the laws governing parole.

32 SECTION 6. Section 24 of chapter 279 of the General Laws, as so appearing, is hereby  
33 amended by adding the following paragraph:-

34 In the case of a sentence to life imprisonment for murder in the first degree committed by  
35 a person on or after the person's fourteenth birthday and before the person's eighteenth birthday,  
36 the court shall fix a minimum term of not less than 20 years nor more than 30 years.

37 SECTION 7. Sections 1, 5 and 6 shall apply only to people who commit a murder after  
38 the effective date of this act.

39 SECTION 8. Sections 2, 3 and 4 shall apply to prisoners convicted of murder in the first  
40 degree regardless of when the murder for which the prisoner was convicted took place.