

SENATE No. 879

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

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 adoption of the accompanying bill:

An Act to provide a dna exception for statute of limitations on sex offenses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Paul Tucker</i>	<i>7th Essex</i>

SENATE No. 879

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 879) of Mark C. Montigny, Richard J. Ross and Paul Tucker for legislation to provide a DNA exception for statute of limitations on sex offenses. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to provide a dna exception for statute of limitations on sex offenses.

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 277 of the General Laws is hereby amended by inserting after
2 section 63 the following new section:-

3 Section 63A(a) Notwithstanding the provisions of section 63 of chapter 277 or any other
4 general or special law to the contrary, prosecutions for any sex offense may be commenced
5 beyond the time limitations set forth in said section if the identity of the previously unidentified
6 offender is established after the expiration of such time limitation through the use of a DNA
7 profile.

8 (b) If commenced beyond the period otherwise provided for such prosecution by section
9 63 of chapter 277, a prosecution under the exception provided by this section shall be
10 commenced within three years from the date on which the identity of the suspect is established
11 by DNA testing.