

SENATE No. 910

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:

Mark C. Montigny

DISTRICT/ADDRESS:

Second Bristol and Plymouth

SENATE No. 910

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 910) of Mark C. Montigny for legislation to provide a DNA exception for statute of limitations on sex offenses. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 879 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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.