

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Lewis G. Evangelidis**

*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 Increasing the Penalties for Breaking and Entering Dwellings During the Daytime with Intent to Commit a Felony.**

PETITION OF:

NAME: \_\_\_\_\_ DISTRICT/ADDRESS: \_\_\_\_\_  
Lewis G. Evangelidis | 1st Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1390 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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**AN ACT RELATIVE TO INCREASING THE PENALTIES FOR BREAKING AND ENTERING  
DWELLINGS DURING THE DAYTIME WITH INTENT TO COMMIT A FELONY.**

*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. Section 17 of Chapter 266 of the General Laws, as appearing in the 2000 Official Edition, is  
2 hereby amended by striking out same and inserting in place thereof the following:

3 (a)Whoever, in the night time, enters without breaking, or breaks and enters in the day time, a building, ship,  
4 vessel, or vehicle, with intent to commit a felony, the owner or any other person lawfully therein being put in fear,  
5 shall be punished by imprisonment in the state prison for not more than ten years.

6 (b)Whoever, in the day time, breaks and enters a dwelling with intent to commit a felony, the owner or any other  
7 person lawfully therein being put in fear, shall be punished by imprisonment in the state prison for life or any term  
8 of years, provided that any sentence imposed under the provisions of this paragraph shall be subject to the  
9 minimum requirements of paragraph (c).

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