

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Colleen M. Garry**

*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 creating the crime of criminal solicitation.

PETITION OF:

NAME:

Colleen M. Garry

DISTRICT/ADDRESS:

36th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1454 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT CREATING THE CRIME OF CRIMINAL SOLICITATION.

*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 274 of the General Laws, as appearing in the 2004 Official Edition, is hereby  
2 amended by adding at the end thereof the following section:—  
3 Section 8. Whoever, with the intent that another person engage in conduct constituting a felony,  
4 commands, incites, induces or exhorts a felony to be committed, whether such felony is attempted or  
5 completed, shall be guilty of criminal solicitation and shall be punished as follows: First, by  
6 imprisonment in state prison for not more than ten years, if he solicits the commission of murder in the  
7 first degree or murder in the second degree.  
8 Second, by imprisonment in the state prison for not more than five years or in a jail or house of correction  
9 for not more than two and one-half years, if he solicits the commission of a crime punishable with  
10 imprisonment in the state prison for five years or more.  
11 Third, by imprisonment in a jail or house of correction for not more than one year or by a fine of not more  
12 than five thousand dollars, if he solicits the commission of a crime, punishable by imprisonment in the  
13 state prison for less than five years or by imprisonment in a jail or house of correction or by a fine.