

HOUSE No. 252

By Mr. Jones of North Reading, petition of Bradley H. Jones, Jr., and others relative to establishing the victims of violent crimes lottery fund. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

PETITION OF:

Bradley H. Jones, Jr.	Elizabeth A. Poirier
Mary S. Rogeness	Karyn E. Polito
George N. Peterson, Jr.	Susan Williams Gifford
John A. Lepper	Richard J. Ross
Viriato Manuel deMacedo	Paul J. P. Loscocco
Paul K. Frost	Todd M. Smola
Robert S. Hargraves	Donald F. Humason, Jr.

In the Year Two Thousand and Seven.

AN ACT ESTABLISHING A VICTIMS OF VIOLENT CRIMES LOTTERY FUND.

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 10 of the General Laws, as most recently
2 amended by chapter 130 of the acts of 2005, is hereby amended by
3 adding after section 35CC, the following new section:—
4 Section 3DD. Victims of Violent Crimes Lottery Fund
5 (a) There shall be established a separate fund to be known as the
6 Victims of Violent Crimes Lottery Fund. The fund shall receive 51
7 percent of lottery winnings totaling more than \$50,000 from the
8 following persons: those who have been convicted of murder pur-
9 suant to section 1 of chapter 265, voluntary manslaughter pursuant
10 to section 13 of chapter 265, rape pursuant to section 22 of
11 chapter 265, or rape of a child pursuant to section 22A of
12 chapter 265.
13 The state treasurer shall be the custodian of the fund and shall
14 receive, deposit and invest all monies transmitted to him under this
15 section in accordance with sections 34, 34A and 38 of chapter 29 in
16 such a manner as to secure the highest rate of return available con-
17 sistent with the safety of the fund, and shall credit interest and earn-
18 ings on the trust fund corpus to the trust fund.

19 (b) The state treasurer shall transfer funds from the income and
20 receipts of the fund to the victim and witness assistance board, as
21 established in section 4 of chapter 258B, periodically, at the request
22 of the board.

23 The board shall award and administer grants from the fund,
24 without further appropriation, to community-based programs in the
25 commonwealth to provide counseling and support services to vic-
26 tims and families of victims of such violent crimes as murder and
27 rape. The board shall develop written criteria for the awarding of
28 those grants, which shall be evaluated and, if necessary, revised on
29 an annual basis. For the purposes of this section, the word “victim”
30 shall have the same meaning as defined in section 1 of said
31 chapter 258B.

32 The board shall file a report detailing the amount of funds col-
33 lected and expended from the fund along with a copy of the written
34 criteria used to expend the funds to the house and senate committees
35 on ways and means not later than August 15 of each calendar year.

36 An amount not to exceed 5 percent of the total funds deposited in
37 the fund may be expended by the board for administrative costs
38 directly attributable to the grants and programs supported by the
39 fund, including, but not limited to, the costs of clerical and support
40 personnel. Any unexpended balance of monies in the fund at the end
41 of the fiscal year shall not revert to the General Fund but shall
42 remain available for expenditure from such fund in subsequent fiscal
43 years. No expenditure made from the fund shall cause the fund to
44 become deficient at any point during a fiscal year.

1 SECTION 2. Chapter 265 of the General Laws, as most recently
2 amended by chapter 303 of the acts of 2006, is hereby amended by
3 adding, at the end thereof, the following new section:

4 Section 48.

5 Whoever has been convicted of murder pursuant to section 1, vol-
6 untary manslaughter pursuant to section 13, rape pursuant to
7 section 22, or rape of a child pursuant to section 22A and thereafter
8 profits an amount more than \$50,000 from participating in the state
9 lottery as defined in sections 22 through 35, inclusive, of chapter 10
10 shall contribute 51 percent of the proceeds to a victim's compensa-
11 tion fund as defined in section 35Y of chapter 10.

1 SECTION 3. The provisions of this act shall take effect upon its
2 passage.