

HOUSE No. 1422

By Mr. Flynn of Bridgewater, petition of David L. Flynn relative to the penalties for criminally negligent homicide. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO CRIMINALLY NEGLIGENT HOMICIDE.

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 30A. A person is guilty of criminally negligent homicide
2 when, with criminal negligence, he causes the death of another
3 person. For purposes of this section, "criminal negligence" is the
4 failure to perceive a substantial and unjustifiable risk that is of such
5 nature and degree that the failure to perceive it constitutes a gross
6 deviation from the standard of care that a reasonable person would
7 observe under the circumstances.
8 Whoever is guilty of criminally negligent homicide shall be pun-
9 ished by imprisonment in a house of correction for not more than 2½
10 years and a fine of not more than \$10,000.00.