



Select Massachusetts Mandatory Minimum Laws

IMPORTANT NOTE: This is not necessarily a complete list. Laws frequently change, and these sentences may no longer be accurate or up to date. Talk with a lawyer in your state if you have questions.

All laws are listed by chapter and section (§) numbers of the Massachusetts General Laws. We have included a link to each law listed. To look up a law that is not listed here, go to <http://www.mass.gov/legis/laws/mgl/index.htm>. If you know the chapter and section number of the law, choose the first option, “Link to a specific Chapter or Section,” and enter that information in the top two boxes. You can also choose “Search the General Laws” and enter keywords in the lower box.

Drug Offenses

Drugs that are regulated by law are called “controlled substances.” Penalties are based on the “class” of the drug. Very generally, those classes are:

- Class A Heroin, morphine, codeine;
- Class B Cocaine, opium, methadone, amphetamines, barbiturates, LSD, PCP;
- Class C Mescaline, peyote, psilocybin;
- Class D Marijuana, phenobarbital;
- Class E Prescription drugs mixed with non-narcotics, any other drug not classified.

Go to <http://www.mass.gov/legis/laws/mgl/94c-31.htm> for a complete list of drugs in each class.

Code Section	Offense	Mandatory Minimum Sentence
94C, §32(b)	One or more prior convictions – Class A controlled substances, unlawful manufacture, distribution, dispensing or possession with intent to manufacture, etc. http://www.mass.gov/legis/laws/mgl/94c-32.htm	5 years
94C, §32A	(b) One or more prior convictions – Class B controlled substances; unlawful manufacture, distribution, dispensing or possession with intent to manufacture, etc. http://www.mass.gov/legis/laws/mgl/94c-32a.htm	3 years
	(c) Class B controlled substances – phencyclidine (PCP), cocaine or methamphetamine – unlawful manufacture, distribution, dispensing or possession with intent to manufacture, etc. Same link as above.	3 years
	(d) One or more prior convictions of above section. Same link as above.	5 years



Drug Offenses, cont.

94C, §32B(b)	One or more prior convictions – Class C controlled substances – unlawful manufacture, distribution, dispensing or possession with intent to manufacture, etc. http://www.mass.gov/legis/laws/mgl/94c-32b.htm	2 years
94C, §32C(b)	One or more prior convictions – Class D controlled substances – unlawful manufacture, distribution, dispensing, cultivation or possession with intent to manufacture, etc. http://www.mass.gov/legis/laws/mgl/94c-32c.htm	1 year
94C, §32E(a)	(1) Trafficking in marijuana – From 50 lbs. to less than 100 lbs., including any mixture containing marijuana. http://www.mass.gov/legis/laws/mgl/94c-32e.htm	1 year
	(2) Trafficking in marijuana – From 100 lbs. to less than 2,000 lbs., including any mixture containing marijuana. Same link as above.	3 years
	(3) Trafficking in marijuana – From 2,000 lbs. to less than 9,999 lbs., including any mixture containing marijuana. Same link as above.	5 years
	(4) Trafficking in marijuana – From 10,000 or more lbs., including any mixture containing marijuana. Same link as above.	10 years
94C, §32E(b)	(1) Trafficking in cocaine and phenmetrazine – From 14 grams to less than 28 grams, including any mixture containing the drug. Same link as above.	3 years
	(2) Trafficking in cocaine and phenmetrazine – From 28 grams to less than 100 grams, including any mixture containing the drug. Same link as above.	5 years
	(3) Trafficking in cocaine and phenmetrazine – From 100 grams to less than 200 grams, including any mixture containing the drug. Same link as above.	10 years
	(4) Trafficking in cocaine and phenmetrazine – 200 grams or more, including any mixture containing the drug. Same link as above.	15 years
94C, §32E(c)	(1) Trafficking in heroin, morphine, opium or a derivative – From 14 grams to less than 28 grams, including any mixture containing the drug. Same link as above.	5 years
	(2) Trafficking in heroin, morphine, opium or a derivative – From 28 grams to less than 100 grams, including any mixture containing the drug. Same link as above.	7 years



Drug Offenses, cont.

94C, §32E(c)	(3) Trafficking in heroin, morphine, opium or a derivative – From 100 grams to less than 200 grams, including any mixture containing the drug. http://www.mass.gov/legis/laws/mgl/94c-32e.htm	10 years
	(4) Trafficking in heroin, morphine, opium or a derivative – 200 grams or more, including any mixture containing the drug. Same link as above.	15 years
94C, §32F	(a) Unlawful manufacture, distribution, dispensing or possession with intent to manufacture, etc. of controlled substances in Classes A to person under 18. http://www.mass.gov/legis/laws/mgl/94c-32f.htm	5 years
	(b) Unlawful manufacture, distribution, dispensing or possession with intent to manufacture, etc. of controlled substances in Classes B to person under 18. Same link as above.	3 years
	(c) Unlawful manufacture, distribution, dispensing or possession with intent to manufacture, etc. of controlled substances in Classes C to person under 18. Same link as above.	2 years
	(d) Unlawful manufacture, distribution, dispensing or possession with intent to manufacture, etc. of cocaine to person under 18. Same link as above.	5 years
94C, §32J	Controlled substances violation in, on, or near school property, park or playground. http://www.mass.gov/legis/laws/mgl/94c-32j.htm	2 years, to be served after sentence for underlying offense
94C, §32K	Inducing or abetting a person under 18 to distribute or sell controlled substances. http://www.mass.gov/legis/laws/mgl/94c-32k.htm	5 years

Gun Offenses

Code Section	Offense	Mandatory Minimum Sentence
265, §18B	Possession of firearm while committing a felony. http://www.mass.gov/legis/laws/mgl/265-18b.htm	5 years



Gun Offenses, cont.

265, §18B	Possession of large capacity weapon or machine gun while committing a felony. http://www.mass.gov/legis/laws/mgl/265-18b.htm	10 years
	Second offense – Possession of firearm while committing a felony. Same link as above	20 years
	Second offense – Possession of large capacity weapon or machine gun while committing a felony. Same link as above.	25 years
269, §10(a)	Unlawful possession of firearm – first offense. http://www.mass.gov/legis/laws/mgl/269-10.htm	18 months
269, §10(c)	Unlawful possession of machine gun – first offense Same link as above.	18 months
269, §10(d)	Unlawful possession of firearm or machine gun – second offense. Same link as above.	5 years
	Unlawful possession of firearm or machine gun – third offense. Same link as above.	7 years
	Unlawful possession of firearm or machine gun – fourth offense. Same link as above.	10 years
269, §10(m)	Possession of large capacity weapon without firearms ID. Same link as above.	2½ years
	Possession of large capacity weapon with firearms ID. Same link as above.	1 year

Violent Offenses

Code Section	Offense	Mandatory Minimum Sentence
265, §2	First degree murder. http://www.mass.gov/legis/laws/mgl/265-2.htm	Life without parole
	Second degree murder. Same link as above.	Life
265, §13½	Manslaughter while operating motor vehicle. http://www.mass.gov/legis/laws/mgl/265-13.5.htm	5 years
265, §15A(a)	Assault & battery with dangerous weapon on person 60 or older – second offense. http://www.mass.gov/legis/laws/mgl/265-15a.htm	2 years
265, §15B(a)	Assault with dangerous weapon on person 60 or older – second offense. http://www.mass.gov/legis/laws/mgl/265-15b.htm	1 year



Violent Offenses, cont.

265, §17	Armed robbery while masked. http://www.mass.gov/legis/laws/mgl/265-17.htm	5 years
	Second offense – armed robbery while masked. Same link as above.	10 years
	Armed robbery using a firearm. Same link as above.	5 years
	Second offense – armed robbery using a firearm. Same link as above.	15 years
265, §18(a)	Assault with firearm with intent to rob or murder, victim 60 or older. http://www.mass.gov/legis/laws/mgl/265-18.htm	10 years
	Second offense – armed assault with intent to rob or murder, victim 60 or older. Same link as above.	2 years
	Second offense – assault with firearm with intent to rob or murder, victim 60 or older. Same link as above.	20 years
265, §18(b)	Assault with firearm with intent to rob or murder. Same link as above.	5 years
265, §18A	Assault in a dwelling using dangerous weapon or firearm, with intent to commit a felony. http://www.mass.gov/legis/laws/mgl/265-18a.htm	10 years
265, §18C	Entry in dwelling place where people are present, while armed or with threat of force. http://www.mass.gov/legis/laws/mgl/265-18c.htm	20 years
265, §19	Second offense – robbery of person 60 or older. http://www.mass.gov/legis/laws/mgl/265-19.htm	2 years
265, §21A	Assault with intent to steal motor vehicle, using a dangerous weapon. http://www.mass.gov/legis/laws/mgl/265-21a.htm	1 year
	Assault with intent to steal motor vehicle, using a firearm. Same link as above.	5 years

Sex Offenses

Code Section	Offense	Mandatory Minimum Sentence
265, §13B½	Indecent assault and battery on child under 14, committed during another offense or as registered sex offender. http://www.mass.gov/legis/laws/mgl/265-13b.5.htm	10 years



Sex Offenses, cont.

265, §13B¾	Second offense – indecent assault and battery on child under 14. http://www.mass.gov/legis/laws/mgl/265-13b.75.htm	15 years
265, §22(b)	Armed rape. http://www.mass.gov/legis/laws/mgl/265-22.htm	10 years
	Second offense – armed rape. Same link as above.	15 years
265, §22A	Rape of child under 16 by person over 18. http://www.mass.gov/legis/laws/mgl/265-22a.htm	5 years
	Rape of child under 16, using a firearm. Same link as above.	10 years
	Second offense – Rape of child under 16 by person over 18, using a firearm. Same link as above.	20 years
265, §22B	Rape of child under 16 during commission of certain other felonies, or while victim drugged, or by someone who knows that he/she is carrier of infectious disease. http://www.mass.gov/legis/laws/mgl/265-22b.htm	15 years
265, §22C	Rape of child under 16, prior conviction for sex offense against a child. http://www.mass.gov/legis/laws/mgl/265-22c.htm	20 years
265, §23A	Sexual intercourse with child under 12 by person more than 5 years older; sexual intercourse with child between 12 and 16 by person more than 10 years older; sexual intercourse with child under 16 by registered sex offender. http://www.mass.gov/legis/laws/mgl/265-23a.htm	10 years
265, §23B	Sexual intercourse with child under 16, prior conviction for sex offense against a child. http://www.mass.gov/legis/laws/mgl/265-23b.htm	15 years
265, §24	Assault with attempt to rape, use of firearm. http://www.mass.gov/legis/laws/mgl/265-24.htm	5 years
	Second offense – assault with attempt to rape, use of firearm. Same link as above.	20 years
265, §24B	Second offense – assault with attempt to rape child under 16 by person over 18. http://www.mass.gov/legis/laws/mgl/265-24b.htm	5 years
	Assault with attempt to rape child under 16, use of firearm. Same link as above.	10 years
	Second offense – assault with attempt to rape child under 16 by person over 18, use of firearm. Same link as above.	15 years



Sex Offenses, cont.

265, §26	Kidnapping with intent to extort money, use of firearm. http://www.mass.gov/legis/laws/mgl/265-26.htm	20 years
	Armed kidnapping, serious bodily injury or sexual assault. Same link as above.	25 years
	Kidnapping of a child under 16. Same link as above.	15 years
265, §26B	Drugging for kidnapping. http://www.mass.gov/legis/laws/mgl/265-26b.htm	10 years
	Drugging for kidnapping, intent to extort money. Same link as above.	15 years

Gangs

Code Section	Offense	Mandatory Minimum Sentence
265, §44	Assault and battery to coerce child under 18 to participate in criminal conspiracy. http://www.mass.gov/legis/laws/mgl/265-44.htm	3 years
	Second offense – Assault and battery to coerce child under 18 to participate in criminal conspiracy. Same link as above.	5 years

Miscellaneous/Other

Code Section	Offense	Mandatory Minimum Sentence
265, §43(b)	Stalking in violation of a court order. http://www.mass.gov/legis/laws/mgl/265-43.htm	1 year
265, §43(c)	Second offense – stalking. Same link as above.	2 years
279, §25	Habitual offender – Someone who commits a third felony, after having twice been convicted and sentenced to prison for terms of not less than three years each. http://www.mass.gov/legis/laws/mgl/279-25.htm	Maximum term for 3 rd offense