

SENATE No. 946

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to Gang Violence..

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 Chapter 265 of the General Laws is hereby amended by inserting after
2 section 13L the following section:-

3 Section 13M. For the purposes of this section, the following words shall have the
4 following meanings:—

5 “Gang assault and battery”, assault and battery when aided by three or more persons
6 actually present.

7 “Serious bodily injury”, bodily injury which results in a permanent disfigurement,
8 protracted loss or impairment of a bodily function, limb or organ, or substantial risk of death.

9 (a) Whoever commits a gang assault and battery upon another person and by such assault
10 and battery causes bodily injury shall be punished by imprisonment punished by imprisonment in
11 a house of correction for not more than 3 years, or by a fine of not more than \$2,500, or both
12 such fine and imprisonment.

13 (b) Whoever commits a gang assault and battery upon another person and by such assault
14 and battery causes serious bodily injury shall be punished by imprisonment punished by
15 imprisonment in a house of correction for not more than 5 years, or by a fine of not more than
16 \$5000, or both such fine and imprisonment.