

HOUSE No. 3070

The Commonwealth of Massachusetts

PRESENTED BY:

Russell E. Holmes

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 adoption of the accompanying bill:

An Act increasing penalties for discharging a firearm into a dwelling, residence or structure where persons reside.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>1/20/2017</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>1/27/2017</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/20/2017</i>

HOUSE No. 3070

By Mr. Holmes of Boston, a petition (accompanied by bill, House, No. 3070) of Russell E. Holmes, Daniel J. Ryan and Timothy R. Whelan relative to penalties for discharging firearms in residential dwellings. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act increasing penalties for discharging a firearm into a dwelling, residence or structure where persons reside.

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 269 of the General Laws is hereby amended by inserting after
2 section 12F the following sections:-

3 Section 12G: Any person that discharges a firearm, and during that discharge, strikes a
4 dwelling residence or structure where persons reside, whether or not the dwelling, residence or
5 structure is actually occupied at the time the firearm is discharged, shall be punished by
6 imprisonment for a period of not less than 1 year nor more than 5 years from and after the
7 sentence imposed for the possession of said firearm or related offenses. This sentence shall be
8 served at the House of Correction or State Prison.

9 Section 12H: Any person that discharges a firearm, and during that discharge, strikes a
10 public park, daycare facility, an elementary or secondary school, college or university, shall be
11 punished by imprisonment for a period of not less than 1 year nor more than 5 years from and

- 12 after the sentence imposed for the possession of said firearm or related offenses. This sentence
- 13 shall be served at the House of Correction or State Prison.