

**HOUSE . . . . . No. 3070**

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**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>	

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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.

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**The Commonwealth of Massachusetts**

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