

SENATE No. 1016

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

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 protecting bank employees and customers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/1/2019</i>

SENATE No. 1016

By Mr. Rush, a petition (accompanied by bill, Senate, No. 1016) of Michael F. Rush and Paul McMurtry for legislation relative to bank robberies and collection of fraudulent checks. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1357 OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act protecting bank employees and customers.

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. Section 40a of chapter 93 of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by adding after the last sentence in the first paragraph the
3 following new sentence:— Action taken under this section may be brought before the court where
4 either the plaintiff or defendant lives or has a place of business or employment.

5 SECTION 2. Section 17 of chapter 265 of the General Laws, as so appearing, is hereby
6 amended by striking out said section and inserting in place thereof the following new section:—

7 Section 17. Whoever, being armed with a dangerous weapon, assaults another and robs,
8 steals or takes from his person money or other property which may be the subject of larceny shall
9 be punished by imprisonment in the state prison for life or for any term of years; provided,

however, that any person who commits any offense described herein while masked or disguised or while having his features artificially distorted, shall, for the first offense be sentenced to imprisonment for not less than 5 years and for any subsequent offense for not less than 10 years. Whoever commits any offense described herein while armed with a firearm, shotgun, rifle, machine gun or assault weapon or displays what appears to be a firearm, improvised explosive device or other deadly weapon, hypodermic needle or any other device that may cause or is intended to inflict bodily injury or commits a robbery within and against a banking institution as defined in section 1 of chapter 167A or a credit union as defined in section 1 of chapter 171 shall be punished by imprisonment in the state prison for not less than 5 years. Any person who commits a subsequent offense while armed with a firearm, shotgun, rifle, machine gun or assault weapon or displays what appears to be a firearm, improvised explosive device or other deadly weapon, hypodermic needle or any other device that may cause or is intended to inflict bodily injury or commits a robbery within and against a banking institution as defined in section 1 of chapter 167A or a credit union as defined in section 1 of chapter 171 shall be punished by imprisonment in the state prison for not less than 15 years.

SECTION 3. Section 19 of said chapter 265 of the General Laws, as so appearing, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection (b):—Whoever, not being armed with a dangerous weapon, by force and violence, or by assault and putting in fear, robs, steals or takes from the person of another, or from his immediate control, money or other property which may be the subject of larceny, including attempted robbery of a bank as defined in section 1 of chapter 167A or a credit union as defined in section 1 of chapter 171 shall be punished by imprisonment in the state prison for life or for any term of not less than 30 months.

SECTION 4. Section 30 of chapter 266 of the General Laws, as so appearing, is further amended by adding to the end of paragraph (1) the following new sentence:– If the larceny involved monies received through the uttering of a forged, altered or counterfeit check, draft or order for the payment of money from any bank or other depository, action may be taken before either the court having jurisdiction where the uttering took place or where the payee bank or other depository’s main office is located.

SECTION 5. Section 37 of said chapter 266 of the General Laws, as so appearing, is hereby amended by adding the following sentence to the end of said section:– Action taken under this jurisdiction where the crime was committed or where the main office of the bank or other depository are located.