SENATE DOCKET, NO. FILED ON: 1/13/2009

**SENATE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**John A. Hart, Jr.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*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 passage of the accompanying bill:

An Act Relative to Gang Violence.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| John A. Hart, Jr. | First Suffolk |

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01387 OF 2007-2008.]

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and 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:*

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

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

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

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

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

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