

**HOUSE . . . . . No. 1380**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Russell E. Holmes***

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*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:
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>

**HOUSE . . . . . No. 1380**

By Mr. Holmes of Boston, a petition (accompanied by bill, House, No. 1380) of Russell E. Holmes and others relative to increasing the penalties for discharging firearms into a residential dwelling, daycare facility or school building. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court  
(2015-2016)

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 Chapter 269 of the General Laws, as so appearing, 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 daycare facility, an elementary or secondary school, college or university, shall be punished by  
11 imprisonment for a period of not less than 1 year nor more than 5 years from and after the

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