

SENATE No. 155

By Mr. Berry, a petition (accompanied by bill, Senate, No. 155) of Frederick E. Berry, Barry R. Finegold, Kevin M. Burke, Essex County District Attorney, James P. Jajuga, and other members of the General Court for legislation relative to the sentence for assault and battery. Criminal Justice.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT TO PROHIBIT AGGRAVATED ASSAULT AND BATTERY.

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 265 of the General Laws is hereby
2 amended by inserting after Section 15B, as appearing in the 1998
3 Official Edition, the following section:—

4 Section 15C.

5 (a) Whoever commits an assault and battery upon another and
6 by such assault and battery causes serious bodily injury shall be
7 punished by imprisonment in the state prison for not more than
8 ten years or imprisonment in the house of correction for not more
9 than two and one-half years.

10 (b) Whoever, with malicious intent to injure, commits an assault
11 and battery upon another and by such assault and battery causes
12 serious bodily injury shall be punished by imprisonment in the
13 state prison for not more than fifteen years or imprisonment in the
14 house of correction for not more than two and one-half years.

15 (c) As used in this section and in section fourteen of this
16 chapter, "serious bodily injury" is bodily injury that creates a per-
17 manent disfigurement, protracted loss or impairment of a body
18 member, limb or organ, or substantial risk of death.

1 SECTION 2. Chapter 218, Section 26, is hereby amended by
2 inserting after the words "section fifteen A of chapter two hun-
3 dred and sixty-five," the words, "section fifteen C of chapter two
4 hundred and sixty-five."

