

**HOUSE . . . . . No. 3039**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Tackey Chan*

*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 relative to flash mob robberies.

PETITION OF:

NAME:

*Tackey Chan*

DISTRICT/ADDRESS:

*2nd Norfolk*

**HOUSE . . . . . No. 3039**

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By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 3039) of Tackey Chan relative to organized retail crime by 6 or more persons. The Judiciary.

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**The Commonwealth of Massachusetts**

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

An Act relative to flash mob robberies.

*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 30D of chapter 266 of the 2014 official edition of the  
2 Massachusetts General Laws is hereby amended by striking subsection (d) and inserting the  
3 following subsections:-

4 (d) A person commits an organized retail crime by flash mob if the person, acting in  
5 concert with 6 or more persons, steals retail merchandise cumulatively valued at more than \$500,  
6 and makes or receives in the course of planning or commission of the theft at least one electronic  
7 communication, including but not limited to text message, electronic mail or social media post,  
8 seeking participation in the theft.

9 A violation of this subsection shall be punished by imprisonment in a house of correction  
10 for not more than 2 1/2 years or by imprisonment in the state prison for not more than 5 years or  
11 by a fine of not more than \$10,000, or by both such fine and imprisonment.

12           (e) A person shall be a leader of an organized retail theft enterprise if the person  
13   conspires with others as an organizer, supervisor, financier or manager, to commit an organized  
14   retail crime, an aggravated organized retail crime, or organized retail crime by flash mob. A  
15   leader of organized retail crime may be punished by a fine of not more than \$250,000 or 5 times  
16   the retail value of the merchandise seized at the time of the arrest, whichever is greater, or  
17   imprisonment in state prison for not more than 20 years, or both such fine and imprisonment.