

HOUSE No. 2274

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative to pepper spray..

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 140, SECTION 129b of the General Laws, as appearing in the
2 2005 official edition, is hereby amended in clause (9B) by striking the words “The application
3 fee for a firearm identification card issued for the sole purpose of purchasing or possessing
4 chemical mace, pepper spray or other similarly propelled liquid, gas or powder designed to
5 temporarily incapacitate shall be \$25, which shall be payable to the licensing authority and shall
6 not be prorated or refunded in the case of revocation or denial. The licensing authority shall
7 retain 50 per cent of the fee and the remaining portion shall be deposited in the General Fund.
8 Notwithstanding any general or special law to the contrary, licensing authorities shall deposit
9 quarterly that portion of the firearm identification card application fee which is to be deposited
10 into the General Fund, not later than January 1, April 1, July 1 and October 1 of each year. There
11 shall be no application fee for the renewal of a firearm identification card issued under this
12 clause. A firearm identification card issued under this clause shall display, in clear and
13 conspicuous language, that the card shall be valid only for the purpose of purchasing or
14 possessing chemical mace, pepper spray or other similarly propelled liquid, gas or powder

15 designed to temporarily incapacitate.” And replacing thereof the following “Possession of
16 chemical mace, pepper spray or other similarly propelled liquid, gas or powder designed to
17 temporarily incapacitate shall not require a firearm identification card.”

18 And by striking the following words in clause (6): “A firearm identification card shall be
19 valid for the purpose of purchasing and possessing chemical mace, pepper spray or other
20 similarly propelled liquid, gas or powder designed to temporarily incapacitate.”

21 And by striking the following words in clause (7) “If a firearm identification card is
22 issued for the sole purpose of purchasing or possessing chemical mace, pepper spray or other
23 similarly propelled liquid, gas or powder designed to temporarily incapacitate, such card shall
24 clearly state that such card is valid for such limited purpose only. The application for such card
25 shall be made in a standard form provided by the executive director of the criminal history
26 systems board which shall require the applicant to affirmatively state, under the pains and
27 penalties of perjury, that he is not disqualified on any of the grounds enumerated in clauses (i) to
28 (ix), inclusive, from being issued such card.”