

**SENATE . . . . . No. 911**

---

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Nine**

An Act relative to the enhancement of public safety..

*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 162A of chapter 127 of the General Laws, as appearing in the 2004  
2 Official Edition, is hereby amended by inserting, in line 3, after the words “crime of  
3 arson,” the following words:- or of possession of an infernal machine, hoax device or substance  
4 pursuant to sections 102A or 102A½ of chapter 266.

5 SECTION 2. Section 20B of chapter 148, as so appearing, is hereby amended by adding  
6 the following paragraph: -

7 The Marshal shall not issue a certificate of competency or suspend the certificate of any  
8 person who is the subject of a restraining order issued pursuant to chapter 209A while said order  
9 is in effect.

10 SECTION 3. Section 102A of Chapter 266 of the General Laws, as so appearing, is  
11 hereby amended by striking out the second and third sentences in their entirety and inserting in  
12 their place, the following new paragraph:-

13 For purposes of this section, “infernal machine” means either:

14           (1)     An explosive, incendiary, poison gas, high explosive, bomb, grenade, or similar  
15 device for endangering life, for doing unusual damage to property, or both, by fire, explosion, or  
16 toxicity whether or not designed so as to appear harmless; or,

17           (2)     A part, or combination of parts, either designed or intended for use in converting  
18 a device described in clause (1) and from which an infernal machine can be readily assembled.

19           Notice of the seizure of any such machine, instrument, contrivance, device or parts, shall  
20 be sent to the state fire marshal and the article seized, subject to his order.

21           SECTION 4. Subsection (b) of section 102A½ of chapter 266, as so appearing, is hereby  
22 amended by striking out, in lines 11 through 14, the second sentence and inserting in place  
23 thereof, the following two sentences:-

24           For purposes of this section, “infernal machine” means either:

25           (1)     An explosive, incendiary, poison gas, high explosive, bomb, grenade, or similar  
26 device for endangering life, for doing unusual damage to property, or both, by fire, explosion, or  
27 toxicity whether or not designed so as to appear harmless; or,

28           (2)     A part, or combination of parts, either designed or intended for use in converting  
29 a device described in clause (1) and from which an infernal machine can be readily assembled.

30           Notice of the seizure of any such machine, instrument, contrivance, device or parts, shall  
31 be sent to the state fire marshal and the article seized, subject to his order.