HOUSE. No. 658

The Commonwealth of Alassachusetts		
P	PRESENTED BY:	
To	om Sannicandro	
— Ionorable Senate and House of Representa Court assembled:	atives of the Commonwealth of Massachusetts in General	
The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:		
An Act re	elative to pepper spray.	
<u> </u>	PETITION OF:	

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Tom Sannicandro	7th Middlesex	1/14/2011

To the Honorable Senate

HOUSE No. 658

By Mr. Sannicandro of Ashland, a petition (accompanied by bill, House, No. 658) of Tom Sannicandro relative to licenses for the possession of pepper spray. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION SEE HOUSE, NO. 2274 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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

clause. A firearm identification card issued under this clause shall display, in clear and conspicuous language, that the card shall be valid only for the purpose of purchasing or possessing chemical mace, pepper spray or other similarly propelled liquid, gas or powder designed to temporarily incapacitate." And replacing thereof the following "Possession of chemical mace, pepper spray or other similarly propelled liquid, gas or powder designed to temporarily incapacitate shall not require a firearm identification card."

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

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