

HOUSE No. 2145

The Commonwealth of Massachusetts

PRESENTED BY:

Kimberly N. Ferguson

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 non lethal self defense spray.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/18/2013</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	
<i>Carlos Henriquez</i>	<i>5th Suffolk</i>	
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	
<i>Anne M. Gobi</i>	<i>5th Worcester</i>	
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>	
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>	<i>1/30/2013</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>	
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>	
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>1/30/2013</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>1/30/2013</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>	<i>1/29/2013</i>
<i>Martha M. Walz</i>	<i>8th Suffolk</i>	
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>	

<i>Keiko M. Orrall</i>	<i>12th Bristol</i>	
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>	
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>	<i>2/1/2013</i>
<i>Ryan C. Fattman</i>	<i>18th Worcester</i>	<i>2/1/2013</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	

HOUSE No. 2145

By Mrs. Ferguson of Holden, a petition (accompanied by bill, House, No. 2145) of Kimberly N. Ferguson and others relative to the issuance of licenses for the use of chemical mace. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2403 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to non lethal self defense 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. Section 121 of Chapter 140 of the general laws, as appearing in the 2010
2 official edition, shall be amended by deleting in lines 6 through 8 the following:- “The term
3 “ammunition” shall also mean tear gas cartridges, chemical mace or any device or instrument
4 which contains or emits a liquid, gas, powder or any other substance designed to incapacitate.”

5 SECTION 2. Section 121 of Chapter 140 of the general laws, as appearing in the 2010
6 official edition, shall be amended by inserting after the word “imposed in line 7 the following:-
7 “Defensive Spray” shall mean tear gas cartridges, chemical mace or any device or instrument
8 which contains or emits a liquid, gas, powder or any other substance designed to incapacitate.”

9 SECTION 3. Section 129B of Chapter 140 of the general laws, as appearing in the 2010
10 official edition, shall be amended by deleting in lines 141 through 143 the following:- “A firearm
11 identification card shall be valid for the purpose of purchasing and possessing chemical mace,
12 pepper spray or other similarly propelled liquid, gas or powder designed to temporarily
13 incapacitate.”

14 SECTION 4. Section 129B of Chapter 140 of the general laws, as appearing in the 2010
15 official edition, shall be amended by deleting in lines 155 through 159 the following:- “If a
16 firearm identification card is issued for the sole purpose of purchasing or possessing chemical

17 mace, pepper spray or other similarly propelled liquid, gas or powder designed to temporarily
18 incapacitate, such card shall clearly state that such card is valid for such limited purpose only.”

19 SECTION 5. Section 129B of Chapter 140 of the general laws, as appearing in the 2010
20 official edition, shall be amended by deleting Clause (9B) in lines 198 through 215.

21 SECTION 6. Chapter 140 of the general laws, as appearing in the 2010 official edition,
22 shall be amended by inserting the following new section:- Section 129E. Notwithstanding and
23 special law or regulation to the contrary it shall be lawful for residents or non-residents aged 18
24 years of age or older to purchase, possess, carry, transport Defensive Sprays as defined in
25 Section 121 of Chapter 140.

26 SECTION 7. Section 131 of Chapter 140 of the general laws, as appearing in the 2010
27 official edition, shall be amended by deleting clause (c) in lines 92 through 97.