

HOUSE No. 3316

The Commonwealth of Massachusetts

PRESENTED BY:

William Smitty Pignatelli

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 establishing a voluntary firearm turn-in program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>	
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>	
<i>Byron Rushing</i>	<i>9th Suffolk</i>	

HOUSE No. 3316

By Mr. Pignatelli of Lenox, a petition (accompanied by bill, House, No. 3316) of William Smitty Pignatelli and others for legislation to establish a voluntary firearm turn-in program. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act establishing a voluntary firearm turn-in program.

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 of the General Laws is hereby amended by inserting after
2 section 131O the following section:-

3 131O1/2. Notwithstanding any general or special law, rule or regulation to the contrary,
4 the colonel of state police, in conjunction with each county sheriff shall promulgate rules and
5 regulations implementing a firearm buy-back program. The program shall allow any citizen of
6 the commonwealth who complies with the policies set forth by the colonel to voluntarily
7 exchange a firearm for a cash reward or gift certificate. Each county sheriff shall designate or
8 establish at least 1 location in his or her county where personnel will accept firearms in exchange
9 for a cash reward or gift certificate on 1 day of every month. Each county sheriff shall provide
10 personnel to oversee the location on that day and may establish procedures to implement this
11 program; provided, however, that the procedures do not contradict the policies set forth by the
12 colonel.

13 Any citizen of the commonwealth who complies with the policies set forth by the colonel
14 shall not be asked for identification when exchanging a firearm through this program, although
15 he or she may voluntarily sign a list maintained by the colonel to show that a specific firearm
16 was relinquished. Any citizen of the commonwealth who complies with the policies set forth by
17 the colonel shall be immune from prosecution for possession of a firearm; provided, however,
18 that nothing herein shall prohibit the prosecution of any person for any other offense committed
19 within the commonwealth.

20 Any firearm surrendered in accordance with this program that is reported stolen shall be
21 returned to its lawful owner; provided, however, that any firearm suspected to be evidence in a
22 crime shall remain in the custody and control of the department of state police in the same
23 manner as any other such firearm lawfully seized by the department of state police. All weapons
24 that have been voluntarily surrendered that are not suspected to be evidence of criminal activity
25 and have not been reported stolen shall be melted down or otherwise disposed of in accordance
26 with procedures established by the colonel.