

SENATE No. 1239

The Commonwealth of Massachusetts

PRESENTED BY:

Sonia Chang-Diaz

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 regarding the prevention of illegal trafficking and gun violence among youth in the Commonwealth.

PETITION OF:

NAME:

Sonia Chang-Diaz

Gloria L. Fox

DISTRICT/ADDRESS:

Second Suffolk

7th Suffolk

SENATE No. 1239

By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 1239) of Sonia Chang-Diaz and Gloria L. Fox for legislation to prevent illegal trafficking and gun violence among youth in the Commonwealth. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act regarding the prevention of illegal trafficking and gun violence among youth in the Commonwealth.

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. The third paragraph of section 123 of Chapter 140 of the General Laws, as
2 appearing in the 2012 Official Edition, is hereby amended by inserting after the word “device.”,
3 in line 257, the following two sentences:-

4 No person licensed under section 122 or section 122B shall sell or otherwise transfer to
5 any person more than 15 firearms during any 1 year period, except by devise or trust. Sales or
6 transfers that occur at any time during such year, whether the sales or transfers amount to more
7 than 15 in the course of a single transaction or amount to more than 15 sales or transfers in the
8 aggregate during the course of a year, shall constitute a violation of this section.

9 SECTION 2. The secretary of public safety and security shall study the feasibility of the
10 establishment of an interstate commission for the purpose of developing and promoting the
11 adoption of an interstate compact to encourage the adoption of uniform procedures to combat

12 illegal gun trafficking between states. The report of such study and any recommended
13 legislation or regulations shall be filed with the joint committee on public safety not later than
14 December 31, 2016. Such report shall include but not be limited to, the steps necessary to form
15 such an interstate commission.

16 SECTION 3. Said Chapter 140 is hereby further amended by inserting after section
17 128B, the following section:-

18 Section 128C. Whoever being licensed under section 122 and who purchases or
19 otherwise accepts and keeps within the commonwealth for any period of time more than 15
20 firearms during any 1 year period shall be punished by not more than 5 years in state prison and
21 the licensing authority shall suspend any license or identification card issued under this chapter
22 to such person for a period not to exceed 3 years. This section shall not apply to firearms
23 bequeathed through trust or devise.

24 SECTION 4. Said Chapter 140 is hereby further amended by inserting after section 129C
25 the following section:-

26 Section 129C 1/2. Any person or entity that inherits a firearm, rifle or shotgun by trust or
27 devise, may sell, transfer or deliver such weapon to a licensed dealer or to another person if the
28 transferee is legally permitted to purchase or take possession of such weapon or, within 180 days
29 of receiving such weapon through trust or devise, the recipient thereof shall obtain the relevant
30 firearms identification card or license to carry. Whoever violates this section shall be punished
31 by a fine of not less than \$1,000 nor more than \$10,000.

32 SECTION 5. Section 10 of Chapter 269 of the General Laws, as so appearing, is hereby
33 amended by striking out, in line 5, the words “(1) being present in or on his residence or place of
34 business; or”.