

**HOUSE . . . . . No. 1285**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Marc T. Lombardo***

*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 the definition of assault weapons.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	<i>1/17/2017</i>
<i>James J. Lyons, Jr.</i>	<i>18th Essex</i>	<i>1/26/2017</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>1/18/2017</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>	
<i>Geoff Diehl</i>	<i>7th Plymouth</i>	

**HOUSE . . . . . No. 1285**

By Mr. Lombardo of Billerica, a petition (accompanied by bill, House, No. 1285) of Marc T. Lombardo and others relative to the definition of assault weapons. Public Safety and Homeland Security.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to the definition of assault weapons.

*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 121 of chapter 140, as appearing in the 2014 Official edition, is hereby amended  
2 by striking out the definition of “Assault weapon”, and inserting in place thereof the following  
3 definition;—“Assault weapon”, shall have the same meaning as a semiautomatic assault weapon  
4 as defined in the federal Public Safety and Recreational Firearms Use Protection Act, 18 U.S.C.  
5 section 921(b)(30) as appearing in such section on September 13, 1994, and shall include, a  
6 semiautomatic rifle that has: (a) an ability to accept a detachable magazine and (b) at least 2 of  
7 the following characteristics (i) a folding or telescoping stock; (ii) a pistol grip that protrudes  
8 conspicuously beneath the action of the weapon; (iii) a bayonet mount; (iv) a flash suppressor or  
9 threaded barrel designed to accommodate a flash suppressor; or (v) a grenade launcher; provided,  
10 however, that assault weapon shall not include: (i) any of the weapons, or replicas or duplicates  
11 of such weapons, specified in appendix A to 18 U.S.C. section 922 as appearing in such  
12 appendix on September 13, 1994, as such weapons were manufactured on October 1, 1993; (ii)  
13 any weapon that is operated by manual bolt, pump, lever or slide action; (iii) any weapon that

14 has been rendered permanently inoperable or otherwise rendered permanently unable to be  
15 designated a semiautomatic assault weapon; (iv) any weapon that was manufactured prior to the  
16 year 1899; (v) any weapon that is an antique or relic, theatrical prop or other weapon that is not  
17 capable of firing a projectile and which is not intended for use as a functional weapon and cannot  
18 be readily modified through a combination of available parts into an operable assault weapon;  
19 (vi) any semiautomatic rifle that cannot accept a detachable magazine that holds more than five  
20 rounds of ammunition; or (vii) any semiautomatic shotgun that cannot hold more than five  
21 rounds of ammunition in a fixed or detachable magazine.