

SENATE No. 2649

The Commonwealth of Massachusetts

—
In the One Hundred and Ninety-First General Court
(2019-2020)
—

SENATE, April 23, 2020.

The committee on Public Safety and Homeland Security to whom was referred the petition (accompanied by bill, Senate, No. 1361) of Michael J. Barrett and Carmine Lawrence Gentile for legislation relative to 3D printed weapons and “ghost guns”,- reports the accompanying bill (Senate, No. 2649). (Senator Tran dissenting).

For the committee,
Michael O. Moore

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**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to 3D printed weapons and ghost guns.

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 General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by inserting after the word “cartridges” in line 7 the
3 following words:-

4 “Assembly”, the fitting together of the component parts of firearms to construct a
5 firearm.

6 SECTION 2. Said section 121 of said chapter 140 of the General Laws, as so appearing,
7 is hereby amended by inserting after the word “detectors” in line 54, the following words:-

8 A firearm shall include any receiver or firearm frame that is either substantially near
9 completion or is designed and intended to be used to enable a person to assemble a functioning
10 firearm, shotgun, or rifle.

11 SECTION 3. Said section 121 of said chapter 140 of the General Laws, as so appearing,
12 is hereby amended by inserting after the word “gun” in line 100, the following words:-

13 “Manufacture”, to newly fabricate or construct a firearm.

14 SECTION 4. Said section 121 of said chapter 140 of the General Laws, as so appearing,
15 is hereby amended by inserting after the word “trigger” in line 107, the following words;-

16 “Unfinished receiver or firearm frame”, a piece of any material that does not constitute
17 the frame or receiver of a firearm, rifle or shotgun but that has been shaped or formed in any way
18 for the purpose of becoming the frame or receiver of a firearm, rifle or shotgun. The term shall
19 not include a piece of material that has had its size or external shape altered to facilitate
20 transportation or storage or has had its chemical composition altered.

21 SECTION 5. Chapter 140 of the General Laws, as so appearing, is hereby amended by
22 inserting after Section 122D the following section-

23 Section 122E. (a) No individual shall complete the manufacture or assembly of a weapon
24 without: (1) obtaining a unique serial number or other mark of identification from the bureau of
25 alcohol, tobacco, firearms and explosives; and (2) registering said serial number with the
26 commissioner of the department of criminal justice information services pursuant to Section 123
27 of Chapter 140; and (3) engraving upon or permanently affixing to the firearm such serial
28 number or other mark in a manner that conforms with the requirements imposed on licensed
29 importers and licensed manufacturers of firearms pursuant to 18 USC 923(i), as amended from
30 time to time, and any regulation adopted thereunder within.

31 (b) No person shall use a three-dimensional printer to manufacture any firearm, or any
32 part or component that is intended to be used to assemble or manufacture a functioning firearm,
33 unless such person possesses a federal license to manufacture firearms and operates in

34 compliance pursuant to 18 USC 923(i), as amended from time to time, and any regulation
35 adopted thereunder within.

36 (c) No individual shall complete the manufacture or assembly of any firearm from
37 polymer plastic, unless such plastic is embedded with three point seven ounces of material type
38 17-4 PH stainless steel and such firearm is engraved or otherwise marked with a unique serial
39 number or other mark of identification.

40 (d) Not later than seven days after an individual completes manufacturing or assembling
41 a firearm pursuant to this section, such individual shall notify the commissioner of the
42 department of criminal justice information services and provide any identifying information
43 concerning the firearm and the owner of such firearm pursuant to Section 128B of Chapter 140.
44 Firearms manufactured or assembled before the effective date of this statute shall comply with
45 the provisions of this section within six months of the effective date.

46 (e) The provisions of this section shall not apply to: (1) manufacture or assembly of
47 firearms by a federally licensed firearm manufacturer; or (2) delivery or transfer of a firearm to a
48 law enforcement agency

49 (f) No individual shall knowingly, facilitate, aid or abet the manufacture or assembly of a
50 firearm pursuant by an individual or for an individual who is otherwise prohibited by law from
51 owning or possessing a firearm.

52 (g) Any person who violates any provision of this section shall be punished by
53 imprisonment in the state prison by a term of not more than ten years for each offense, or by a
54 fine of not more than ten thousand dollars, or by both such imprisonment and fine.

55 SECTION 6. (a) The Secretary of public safety and security shall establish a task force
56 regarding the addition of live-fire training as part of the qualifications for a license to carry or a
57 firearms identification card. The task force shall consist of the Secretary or his designee, who
58 will serve as chair, the colonel of the state police or his designee, the attorney general or his
59 designee, one representative of the Massachusetts chiefs of police association, one representative
60 of gun owners action league, one representative of the coalition to prevent gun violence, and
61 three members appointed by the Governor, two of whom are a licensed firearms instructor, and
62 one of whom represents a recognized sportsman's association.

63 (b) The task force shall make recommendations for the implementation of live-fire
64 training to Massachusetts firearms education requirements. The task force shall examine
65 questions including, but not limited to (i) the cost of such training to the applicant and the
66 commonwealth; (ii) the availability of necessary resources, including the capacity of ranges and
67 instructors; (iii) which types of firearms should be included in live fire training; (iv) continuing
68 education for licensed firearm instructors (v) requiring insurance for firearm instructors.

69 (c) The members shall be named and the task force shall commence its work within 60
70 days of the effective date of this act. The task force shall report to the general court the results of
71 its study by filing the same with the clerks of the senate and the house of representatives, and the
72 house and senate chairs of the joint committee on public safety and homeland security not more
73 than 365 days after the effective date of this act.