

SENATE No. 1361

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Barrett

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 3D printed weapons and “ghost guns”.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/24/2019</i>

SENATE No. 1361

By Mr. Barrett, a 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”.
Public Safety and Homeland Security.

The Commonwealth of Massachusetts

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.

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

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

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

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

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

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

(b) No person shall use a three-dimensional printer to manufacture any firearm, or any part or component that is intended to be used to assemble or manufacture a functioning firearm,

unless such person possesses a federal license to manufacture firearms and operates in compliance pursuant to 18 USC 923(i), as amended from time to time, and any regulation adopted thereunder within.

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

(d) Not later than thirty days after an individual completes manufacturing or assembling a firearm pursuant to this section, such individual shall notify the commissioner of the department of criminal justice information services and provide any identifying information concerning the firearm and the owner of such firearm pursuant to Section 128B of Chapter 140.

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

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

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