SENATE DOCKET, NO. 505 FILED ON: 2/1/2021

SENATE . . . . . No. 1581

The Commonwealth of Massachusetts

PRESENTED BY:

Ryan C. Fattman

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 prohibiting the confiscation of lawfully owned firearms during a state of emergency.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Ryan C. Fattman	*Worcester and Norfolk*	
Susan Williams Gifford	*2nd Plymouth*	*3/19/2021*
Shawn Dooley	*9th Norfolk*	*3/19/2021*
Mathew J. Muratore	*1st Plymouth*	*3/24/2021*

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By Mr. Fattman, a petition (accompanied by bill, Senate, No. 1581) of Ryan C. Fattman, Susan Williams Gifford, Shawn Dooley and Mathew J. Muratore for legislation to prohibit the confiscation of lawfully owned firearms during a state of emergency. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1404* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act prohibiting the confiscation of lawfully owned firearms during a state of emergency.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 140 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after section 129D the following section:-

Section 129E. (a) No government official or any person acting on behalf of the commonwealth shall order the confiscation of, or otherwise cause the confiscation of, any lawfully owned firearm, rifle, shotgun, machinegun or ammunition.

(b) No law enforcement officer, person acting as a law enforcement officer, or other public official shall confiscate or attempt to confiscate or attempt to confiscate an lawfully carried or lawfully owned firearm, rifle, shotgun, machinegun or ammunition.

(c) Whoever violates the provisions of this section shall be subject to a civil fine of not less than $500 and not more than $5,000 for each firearm unlawfully confiscated or by imprisonment in a state prison for not more than two and one-half years. Nothing in this section shall prohibit the confiscation of a firearm, rifle, shotgun, machinegun or ammunition from any person who: (i) has been placed under arrest; (ii) is the subject of a protection order issued under chapter 209A; or (iii) has had their firearm identification card or license to carry revoked or suspended.