

SENATE No. 1540

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 3-D printed weapons and “ghost guns”.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/26/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>4/25/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>5/26/2022</i>

SENATE No. 1540

By Mr. Barrett, a petition (accompanied by bill, Senate, No. 1540) of Michael J. Barrett and Michelle M. DuBois for legislation relative to 3D printed weapons and “ghost guns”. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1361 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act relative to 3-D 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, is hereby amended by
2 inserting after the word “cartridges.” in line 7 the following:- “Assembly”, the fitting together of
3 the component parts of firearms to construct a firearm.

4 SECTION 2. Section 121 of Chapter 140 of the General Laws is hereby amended by
5 inserting after the word “detectors.” in line 77, the following:- A firearm shall include any
6 firearm frame or receiver.

7 SECTION 3. Section 121 of Chapter 140 of the General Laws, is hereby amended by
8 inserting after the word “detectors.” in line 77:- “Frame or receiver”, that part of a firearm which
9 provides housing for the trigger group, including any such part (1) that is designed, intended or

10 marketed to be used in an assembled, operable firearm or (2) that, without the expenditure of
11 substantial time and effort, can be converted for use in an assembled, operable firearm. The term
12 shall not include a piece of material that has had its size or external shape altered to facilitate
13 transportation or storage or has had its chemical composition altered.

14 SECTION 4. Section 121 of Chapter 140 of the General Laws, is hereby amended by
15 inserting after the word “cranks.” in line 124 :- “Manufacture”, to newly fabricate or construct a
16 firearm.

17 SECTION 5. Chapter 140 is hereby amended by inserting after section 122D the
18 following section:-

19 Section 122E.

20 (a) No individual shall complete the manufacture or assembly of a firearm unless the
21 frame or receiver of the firearm has been engraved with a serial number or other mark in a
22 manner that conforms with the requirements imposed on licensed importers and licensed
23 manufacturers of firearms pursuant to 18 USC 923(i), as amended from time to time, and any
24 regulation adopted thereunder within.

25 (b) No person shall use a three-dimensional printer to manufacture any firearm, or any
26 part or component that is intended to be used to assemble or manufacture a functioning firearm,
27 unless such person possesses a federal license to manufacture firearms and operates in
28 compliance pursuant to 18 USC 923(i), as amended from time to time, and any regulation
29 adopted thereunder within.

(c) No person shall distribute by any means, including the Internet, to a person in Massachusetts who is not registered or licensed as a manufacturer, digital instructions in the form of computer-aided design files or other code or instructions stored and displayed in electronic format as a digital model that may be used to program a three-dimensional printer to manufacture or produce a firearm, firearm receiver, magazine, or firearm component.

As used in this subsection: “three-dimensional printer” means a computer or computer-driven machine or device capable of producing a three-dimensional object from a digital model; and “distribute” means to sell, or to manufacture, give, provide, lend, trade, mail, deliver, publish, circulate, disseminate, display, share, advertise, offer, or make available via the Internet or by any other means, whether for pecuniary gain or not, and includes an agreement or attempt to distribute.

(d) No individual shall complete the manufacture or assembly of any firearm that is undetectable. "Undetectable firearm" means a firearm that: (1) after removal of all parts other than major components, is not as detectable as the Security Exemplar, by walk-through metal detectors calibrated and operated to detect the Security Exemplar; or (2) includes a major component which, if the firearm were subjected to inspection by the types of detection devices commonly used at airports for security screening, would not generate an image that accurately depicts the shape of the component.

"Major component" means the slide or cylinder or the frame or receiver of a firearm and, in the case of a rifle or shotgun, also includes the barrel.

“Security Exemplar” means the Security Exemplar fabricated in accordance with subparagraph (C) of paragraph (2) of subsection (p) of 18 U.S.C. § 922

(e) 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.

(f) 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

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

(h) 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.