

**HOUSE . . . . . No. 2369**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***David Paul Linsky***

*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 to raise the age for possession of a firearm.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/20/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>1/30/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/7/2023</i>
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>2/8/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/23/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/4/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>3/6/2023</i>

**HOUSE . . . . . No. 2369**

By Representative Linsky of Natick, a petition (accompanied by bill, House, No. 2369) of David Paul Linsky and others for legislation to raise the age for possession of firearms. Public Safety and Homeland Security.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act to raise the age for possession of a firearm.

*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 129B of chapter 140 of the General Laws, as so appearing, is  
2 hereby amended by striking out subsections (iv) and (v) of paragraph 1 and inserting in place  
3 thereof the following subsection:-

4 (iv) is at the time of the application younger than 18 years of age; provided, however, that  
5 in accordance with Section 131E, a firearm identification card issued to a person under 21 years  
6 of age shall only authorize the person to purchase a rifle or shotgun that is manually operated by  
7 bolt, pump, lever or slide action, unless the person is a member of the National Guard, armed  
8 forces of the United States, or a peace officer.

9 SECTION 2. Section 130 of Chapter 140 of the General Laws, as so appearing, is hereby  
10 amended as follows:

11 Whoever sells or furnishes a rifle, shotgun or ammunition to any alien 21 years of age or  
12 older who does not hold a permit card issued to that alien pursuant to section 131H or, except as

13 provided in this section, section 130 ½, or section 131E, whoever sells or furnishes any alien or  
14 any person under 21 years of age a rifle, shotgun, machine gun or ammunition, or whoever sells  
15 or furnishes to any person under 21 years of age a firearm or large capacity rifle or shotgun or  
16 ammunition therefor shall have the license to sell firearms, rifles, shotguns, machine guns or  
17 ammunition revoked and shall not be entitled to apply for such license for 10 years from the date  
18 of such revocation and shall be punished by a fine of not less than \$1,000 nor more than \$10,000,  
19 or by imprisonment in a state prison for not more than 10 years or by imprisonment in a house of  
20 correction for not more than 2½ years or by both such fine and imprisonment.

21 SECTION 3. Section 131E of Chapter 140 of the General Laws, as so appearing, is  
22 hereby amended as follows:

23 Any resident of the commonwealth may purchase firearms, rifles, shotguns and  
24 ammunition feeding devices from any dealer licensed under section 122, or from such person as  
25 shall be qualified under section 128A, or ammunition from a licensee under section 122B,  
26 subject to the following conditions and restrictions:

27 (a) rifles, shotguns and feeding devices therefor may be so purchased only upon  
28 presentment of:

29 (i) a valid firearm identification card issued under section 129B; or (ii) a valid Class A or  
30 Class B license to carry firearms issued under section 131; or (iii) valid proof of exempt status  
31 under section 129C; provided, however, that large capacity rifles and shotguns and large capacity  
32 feeding devices therefor may be so purchased only upon presentment of a Class A or Class B  
33 license to carry firearms issued under said section 131; and provided further, that no rifle or  
34 shotgun or ammunition or ammunition feeding device therefor shall be sold to any person less

35 than 18 21 years of age, except as provided in subdivision (c) of this section; and provided  
36 further, that no large capacity rifle or shotgun or large capacity feeding device therefor shall be  
37 sold to any person less than 21 years of age;

38 (b) firearms and feeding devices therefor may be so purchased only upon presentment of:

39 (i) a valid Class A or Class B license to carry firearms issued under section 131; or (ii) a  
40 valid firearm identification card issued under section 129B together with a valid permit to  
41 purchase a firearm issued under section 131A; or (iii) a valid permit to purchase a firearm issued  
42 under section 131A together with valid proof of exempt status under section 129C; provided,  
43 however, that large capacity firearms and large capacity feeding devices therefor may be so  
44 purchased only upon presentment of: (i) a valid Class A license to carry firearms issued under  
45 section 131; or (ii) a valid firearm identification card issued under section 129B together with a  
46 valid and proper permit to purchase a firearm issued under section 131A; or (iii) a valid and  
47 proper permit to purchase a firearm issued under section 131A together with valid proof of  
48 exempt status under section 129C; and provided further, that neither a firearm identification card  
49 issued under section 129B, nor proof of exempt status under section 129C, shall be valid for the  
50 purpose of purchasing any firearm or ammunition feeding device therefor without being  
51 presented together with a valid and proper permit to purchase issued under section 131A; and  
52 provided further, that an alien permit to possess a rifle or shotgun shall not be valid for the  
53 purpose of purchasing firearms or ammunition or ammunition feeding devices therefor; and  
54 provided further, that no firearm or ammunition or ammunition feeding device therefor shall be  
55 sold to any person less than 21 years of age.

56 (c) The prohibition in subdivision (a) on selling a rifle or shotgun or ammunition or  
57 ammunition feeding device therefor to a person less than 21 years of age shall not apply if:

58 (i) The purchaser is a member of the National Guard, armed forces of the United States,  
59 or a police officer or peace officer; or

60 (ii) The purchaser is at least 18 years of age and is purchasing a rifle or shotgun that is  
61 manually operated by bolt, pump, lever or slide action, or is purchasing ammunition or an  
62 ammunition feeding device for use in such a rifle or shotgun.

63 Any person who uses said license to carry firearms or firearm identification card for the  
64 purpose of purchasing a firearm, rifle or shotgun for the unlawful use of another, or for resale to  
65 or giving to an unlicensed person, shall be punished by a fine of not less than one thousand nor  
66 more than fifty thousand dollars, or by imprisonment for not less than two and one-half years  
67 nor more than ten years in a state prison, or by both such fine and imprisonment. A conviction of  
68 a violation of this section shall be reported forthwith by the court to the licensing authority which  
69 issued the license or firearm identification card, which shall immediately revoke the license or  
70 firearm identification card of such person. No new license or firearm identification card under  
71 section one hundred and twenty-nine B or section one hundred and thirty-one shall be issued to  
72 any such person within two years after the date of said revocation.