HOUSE DOCKET, NO. 4122 FILED ON: 1/31/2023

HOUSE . . . . . No. 3863

The Commonwealth of Massachusetts

PRESENTED BY:

Susan Williams Gifford

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 the dangerous release of personal civil rights information.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Susan Williams Gifford	*2nd Plymouth*	*1/31/2023*
Joseph D. McKenna	*18th Worcester*	*1/31/2023*
Ryan C. Fattman	*Worcester and Hampden*	*10/23/2023*

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By Representative Gifford of Wareham, a petition (subject to Joint Rule 12) of Susan Williams Gifford and Joseph D. McKenna relative to the maintenance of records on the transfer of firearms, rifles, shotguns, machine guns and ammunition. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

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

An Act relative to the dangerous release of personal civil rights information.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure sensitive information is kept secure, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

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

Whereas, the public release of information regarding the transfer of firearms, rifles, shotguns, machine guns and ammunition is inherently dangerous to the safety of the general public, both gun owners and non-gun owners alike.

Whereas, the misuse of such data could aid in criminal activity, the harassment and endangerment of lawful citizens, law enforcement personnel and victims of domestic violence.

Whereas, there is no legitimate reason for the general public to have access to such information as the Right to Keep and Bear Arms is a civil right much like voting and the freedom of religion. Neither of which the government keeps or releases data on who we vote for or what church we may attend.

Therefore, the sponsors of this Act request that this legislation be considered a public safety emergency and should be expedited and passed into law forthwith.

SECTION 1. The first paragraph of Section 10B of Chapter 66 of the General Laws is hereby deleted and replaced with the following:

Section 10B. The commissioner of the department of criminal justice information services, the department of criminal justice information services and its agents, servants, and attorneys including the keeper of the records of the firearms records bureau of said department, or any licensing authority, as defined in section 121 of chapter 140, or any government official or agent shall not maintain any records on the transfer of firearms, rifles, shotguns, machine guns and ammunition therefor, as defined in said section 121 of said chapter 140, that contains any personal information including but not limited to names, street address, town, zip code, license identification numbers, date of birth, date of license or card. Further, no government official, employee, or agent shall disclose any such information to the general public to any person, firm, corporation, entity or agency except criminal justice agencies as defined in section 167 of chapter 6 and except to the extent such information relates solely to the person making the request and is necessary to a criminal investigation of the entity making the request and has obtained a warrant for such information.

Upon passage of this act, the commissioner of the department of criminal justice information service, the department of criminal justice information services and its agents, servants, and attorneys including the keeper of the records of the firearms records bureau of said department, or any licensing authority, as defined in section 121 of chapter 140, shall destroy all records regarding the transfer or possession of any firearms, rifles, shotguns, machine guns and

ammunition therefor, as defined in said section 121 of said chapter 140 in their possession and remove and retract all records from any public area where they have been published or made otherwise previously available and to best of their ability recover and data already released.

Any individual seller, purchaser, gunsmith, manufacturer, etc. that can demonstrate that they have been harmed or damaged by any prior release of any of this information can seek relief from the commission of the department of criminal justice information service, the department of criminal justice information services and its agents, servants, and attorneys including the keeper of the records of the firearms records bureau of said department, or any licensing authority, as defined in section 121 of chapter 140.