

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day

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 modernizing firearm laws.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>6/26/2023</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>6/27/2023</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>6/27/2023</i>
<i>Jennifer Balinsky Armini</i>	<i>8th Essex</i>	<i>6/27/2023</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>6/27/2023</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>6/27/2023</i>
<i>Adrienne Pusateri Ramos</i>	<i>14th Essex</i>	<i>6/27/2023</i>
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>6/27/2023</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>6/27/2023</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>6/27/2023</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>6/27/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>7/10/2023</i>
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>7/10/2023</i>
<i>Rita A. Mendes</i>	<i>11th Plymouth</i>	<i>7/10/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>7/10/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>7/10/2023</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>7/10/2023</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>7/10/2023</i>

<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>7/10/2023</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>7/10/2023</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>7/10/2023</i>
<i>John Francis Moran</i>	<i>9th Suffolk</i>	<i>7/10/2023</i>
<i>Dawne Shand</i>	<i>1st Essex</i>	<i>7/10/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>7/10/2023</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>7/10/2023</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>7/10/2023</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>7/12/2023</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>7/12/2023</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>7/13/2023</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>7/14/2023</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>7/21/2023</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>7/21/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>7/21/2023</i>
<i>Samantha Montaña</i>	<i>15th Suffolk</i>	<i>7/31/2023</i>

HOUSE No.

By Representative Day of Stoneham, a petition (subject to Joint Rule 12) of Michael S. Day for legislation to further regulate firearms. The Judiciary.

The Commonwealth of Massachusetts

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

An Act modernizing firearm laws.

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 7 of chapter 4 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out subclause (j) of the twenty-sixth clause and
3 inserting in place thereof the following subclause: -

4 (j) the names and addresses of any persons contained in, or referred to in, any
5 applications for any licenses to carry or possess firearms issued pursuant to chapter 140 or any
6 long gun permits issued pursuant to said chapter 140 and the names and addresses on sales or
7 transfers of any firearms, feeding devices or ammunition therefor, as defined in said chapter 140
8 and the names and addresses on said licenses or permits;

9 SECTION 2. Section 167A of chapter 6 of the General Laws, as so appearing, is hereby
10 amended by inserting, in line 63, after the figure “167” the following words: - , and shall compile
11 and publish data pursuant to section 122B of chapter 140.

12 SECTION 3. The title of section 172M of said chapter figure “122” and inserting in place
13 thereof the following figure: - 125.

14 SECTION 4. The title of said section 172M of said chapter 6, as so appearing, is hereby
15 further amended by striking out the words “and unmonitored contact with firearms, shotguns or
16 rifles” and inserting in place thereof the following words: - contact with firearms.

17 SECTION 5. Section 172M of said chapter 6 of the General Laws, as so appearing, is
18 hereby amended by striking out, in line 3, the figure “122” and inserting in place thereof the
19 following figure: - 125.

20 SECTION 6. Said section 172M of said chapter 6, as so appearing, is hereby further
21 amended by striking out, in lines 6 to 7, the words: - “and unmonitored contact with firearms,
22 shotguns or rifles” and inserting in place thereof the following words: - contact with firearms.

23 SECTION 7. Section 5J of chapter 18 of the General Laws, as so appearing, is hereby
24 amended by striking out, in lines 9 to 11, the words “dealers licensed pursuant to section 122 of
25 chapter 140 and ammunitions dealers licensed pursuant to section 122B of said” and inserting in
26 place thereof the following words: - dealers licensed pursuant to section 125 of.

27 SECTION 8. Section 2LLL of chapter 29 of the General Laws, as so appearing, is hereby
28 amended by striking out, in line 9, the words “sections 122, 122B, 129B, 131, 131A, 131F, and
29 131H” and inserting in place thereof the following words: - section 123B.

30 SECTION 9. Section 22F of chapter 40 of the General Laws, as so appearing, is hereby
31 amended by striking out, in line 17, the number “131N” and inserting in place thereof the
32 number: - 130D.

33 SECTION 10. Section 10B of chapter 66 of the General Laws, as so appearing, is hereby
34 amended by striking out, in lines 7 to 8, the words “rifles, shotguns, machine guns” and inserting
35 in place thereof the following words: - feeding devices.

36 SECTION 11. Said section 10B of said chapter 66, as so appearing, is hereby further
37 amended by inserting, in line 14, after the word “request” the following words: - ; provided,
38 however, that nothing in this section shall prohibit the transmission of data and other information
39 to the department of criminal justice information services and its use therefor pursuant to section
40 122B of chapter 140.

41 SECTION 12. The title of section 26 of chapter 90B of the General Laws, as so
42 appearing, is hereby amended by striking out the words “by underage persons; restrictions” and
43 inserting in place thereof the following words: - of recreational vehicles; firearms.

44 SECTION 13. Section 26 of said chapter 90B of the General Laws, as so appearing, is
45 hereby amended by striking out, in line 66, the words: - “, rifle or shotgun”.

46 SECTION 14. Said section 26 of said chapter 90B, as so appearing, is hereby further
47 amended by striking out, in lines 68 to 69, the words “such firearm, rifle or shotgun is unloaded
48 and in an enclosed case” and inserting in place thereof the following words: - such person
49 possesses a valid license or permit issued under sections 124 to 125B, inclusive, of chapter 140
50 and carries such firearm in compliance with section 126B of said chapter 140. Any violation of
51 this subsection shall be penalized in accordance with said section 126B.

52 SECTION 15. Section 244 of chapter 111 of the General Laws, as so appearing, is hereby
53 amended by striking out, in line 48, the words “131R to 131Y” and inserting in place thereof the
54 following words: - 131 to 131G.

55 SECTION 16. Section 35 of chapter 123 of the General Laws, as so appearing, is hereby
56 amended by striking out, in lines 114 to 115, the words “firearm identification card pursuant to
57 section 129B of chapter 140 or a license to carry pursuant to sections 131 and 131F” and
58 inserting in place thereof the following words: - firearms license or permit pursuant to sections
59 124 to 125B, inclusive,.

60 SECTION 17. Said section 35 of said chapter 123, as so appearing, is hereby further
61 amended by striking out, in line 122, the words “, rifle or shotgun”.

62 SECTION 18. The title of section 36C of said chapter 123 of the General Laws, as so
63 appearing, is hereby amended by striking out the words “firearm identification card or license to
64 carry” and inserting in place thereof the following words: - a firearms license or permit.

65 SECTION 19. Section 36C of said chapter 123 of the General Laws, as so appearing, is
66 hereby amended by striking out, in lines 8 to 9, the words “firearm identification card pursuant to
67 section 129B of chapter 140 or a license to carry pursuant to sections 131 and 131F” and
68 inserting in place thereof the following words: - firearms license or permit pursuant to sections
69 124 to 125B, inclusive,.

70 SECTION 20. Section 11 of chapter 131 of the General Laws, as so appearing, is hereby
71 amended by striking out, in lines 35 to 36, the words “one hundred and thirty-one H of chapter
72 one hundred and forty” and inserting in place thereof the following words: - 124B of chapter
73 140.

74 SECTION 21. Chapter 131 of the General Laws, as so appearing, is hereby amended by
75 striking out section 62 and inserting in place thereof the following section: -

76 Section 62. Weapons; intoxicating liquor or drugs

77 A person, with a percentage, by weight, of alcohol in their blood of eight one-hundredths
78 or greater, or while under the influence of intoxicating liquor or marijuana, narcotic drugs,
79 depressants or stimulant substances, all as defined in section 1 of chapter 94C, or from smelling
80 or inhaling the fumes of any substance having the property of releasing toxic vapors as defined in
81 section 18 of chapter 270, who engages in hunting or in carrying a firearm, bow and arrow or
82 other weapon while engaged in hunting or target shooting shall be punished by a fine of not more
83 than \$5,000 or by imprisonment in the house of correction for not more than two and one-half
84 years, or by both such fine and imprisonment.

85 SECTION 22. Section 90 of said chapter 131 of the General Laws, as so appearing, is
86 hereby amended by striking out, in line 7, the figure “, 62”.

87 SECTION 23. The title of section 121 of chapter 140 of the General Laws, as so
88 appearing, is hereby amended by striking out the words “sales; definitions; antique firearms;
89 application of law” and inserting in place thereof the following words: - licensing; definitions.

90 SECTION 24. Section 121 of said chapter 140 of the General Laws, as so appearing, is
91 hereby further amended by striking out, in line 1, the figure “131Y” and inserting in place
92 thereof the following figure: - 131G.

93 SECTION 25. Said section 121 of said chapter 140, as so appearing, is hereby further
94 amended by striking out the definition of “ammunition” and inserting in place thereof the
95 following definitions: -

96 "Additive manufacturing", a process in which material is added to produce a product,
97 including, but not limited to 3-dimensional printing.

98 "Ammunition", cartridges or cartridge cases, primers (igniter), bullets or propellant
99 powder designed for use in any firearm, rifle or shotgun. The term "ammunition" shall also mean
100 tear gas cartridges.

101 "Antique firearm", any firearm manufactured in or before 1899 and any replica of any
102 such firearm if such replica: (i) is not designed or redesigned for using rimfire or conventional
103 centerfire fixed ammunition; or (ii) uses rimfire or conventional centerfire fixed ammunition that
104 is no longer manufactured in the United States and that is not readily available in the ordinary
105 channels of commercial trade. This includes any muzzle loading rifle, shotgun or pistol that is
106 designed to use black powder, or a black powder substitute, and that cannot use fixed
107 ammunition, except any weapon that incorporates a firearm frame or receiver, any firearm that is
108 converted into a muzzle loading weapon, or any muzzle loading weapon that can be readily
109 converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination
110 thereof.

111 SECTION 26. Said section 121 of said chapter 140, as so appearing, is hereby further
112 amended by striking out the definition of "assault weapon" and inserting in place thereof the
113 following definitions: -

114 "Assault-style firearm", any firearm which is:

115 (a) A semiautomatic rifle with the capacity to accept a detachable feeding device and
116 includes any of the following features: (i) a folding, telescopic, thumbhole or detachable stock or
117 a stock that is otherwise foldable or adjustable in a manner that operates to reduce the length,

118 size and other dimension, or otherwise enhances the concealability of the weapon; (ii) a pistol
119 grip, forward grip or second handgrip or protruding grip that can be held by the non-trigger hand;
120 (iii) a threaded barrel or (iv) a barrel shroud.

121 (b) A semiautomatic pistol with the capacity to accept a detachable feeding device and
122 includes any of the following features: (i) the capacity to accept a feeding device that attaches to
123 the pistol outside of the pistol grip; (ii) a second handgrip or a protruding grip that can be held by
124 the non-trigger hand; (iii) a threaded barrel; (iv) a barrel shroud; (v) a manufactured weight of 50
125 ounces or more when unloaded; or (vi) a buffer tube, stabilizing brace or similar component that
126 protrudes horizontally behind the pistol grip, and is designed or redesigned to allow or facilitate a
127 firearm to be fired from the shoulder.

128 (c) A semiautomatic shotgun with the capacity to accept a detachable feeding device and
129 includes any of the following features: (i) a folding, telescopic or detachable stock; (ii) a pistol
130 grip or bird's head grip; or (iii) a forward grip.

131 (d) The semiautomatic version of any fully automatic firearm.

132 (e) Any firearm listed on the assault-style firearm roster created pursuant to section 128A.

133 (f) All of the following rifles:

134 (i) All AK types, including the following: AK, AK47, AK47S, AK-74, AKM, AKS,
135 ARM, MAK90, MISR, NHM90, NHM91, Rock River Arms LAR-47, SA85, SA93, Vector
136 Arms AK-47, VEPR, WASR-10 and WUM, IZHMASH Saiga AK, MAADI AK47 and ARM,
137 Norinco 56S, 56S2, 84S and 86S, Poly Technologies AK47 and AKS and SKS with a detachable
138 feeding device;

139 (ii) All AR types, including the following: AR-10, AR-15, Alexander Arms Overmatch
140 Plus 16, Armalite M15 22LR Carbine, Armalite M15-T, Barrett REC7, Beretta AR-70, Black
141 Rain Ordnance Recon Scout, Bushmaster ACR, Bushmaster Carbon 15, Bushmaster MOE
142 series, Bushmaster XM15, Chiappa Firearms MFour rifles, Colt Match Target rifles, CORE Rifle
143 Systems CORE15 rifles, Daniel Defense M4A1 rifles, Devil Dog Arms 15 Series rifles,
144 Diamondback DB15 rifles, DoubleStar AR rifles, DPMS Tactical rifles, DSA Inc. ZM-4
145 Carbine, Heckler & Koch MR556, High Standard HSA-15 rifles, Jesse James Nomad AR-15
146 rifles, Knight's Armament SR-15, Lancer L15 rifles, MGI Hydra Series rifles, Mossberg MMR
147 Tactical rifles, Noreen Firearms BN 36 rifle, Olympic Arms, POF USA P415, Precision Firearms
148 AR rifles, Remington R-15 rifles, Rhino Arms AR rifles, Rock River Arms LAR-15, Sig Sauer
149 SIG516 rifles and MCX rifles, Smith & Wesson M&P15 rifles, Stag Arms AR rifles, Sturm,
150 Ruger & Co. SR556 and AR-556 rifles, Uselton Arms Air-Lite M-4 rifles, Windham Weaponry
151 AR rifles, WMD Guns Big Beast, Yankee Hill Machine Company, Inc. YHM-15 rifles;

152 (iii) Barrett M107A1 and M82A1;

153 (iv) Beretta CX4 Storm;

154 (v) Calico Liberty Series;

155 (vi) CETME Sporter;

156 (vii) Daewoo K-1, K-2, Max 1, Max 2, AR 100 and AR 110C;

157 (viii) Fabrique Nationale/FN Herstal FAL, LAR, 22 FNC, 308 Match, L1A1 Sporter,
158 PS90, SCAR and FS2000;

159 (ix) Feather Industries AT-9;

- 160 (x) Galil Model AR and Model ARM;
- 161 (xi) Hi-Point Carbine;
- 162 (xii) HK-91, HK-93, HK-94, HK-PSG-1 and HK USC;
- 163 (xiii) IWI TAVOR, Galil ACE rifle;
- 164 (xiv) Kel-Tec Sub 2000, SU-16 and RFB;
- 165 (xv) SIG AMT, SIG PE-57, Sig Sauer SG 550, Sig Sauer SG 551 and SIG MCX;
- 166 (xvi) Springfield Armory SAR-48;
- 167 (xvii) Steyr AUG;
- 168 (xviii) Storm, Ruger & Co. Mini-14 Tactical Rifle M-14/20CF;
- 169 (xix) All Thompson rifles, including the following: M1SB, T1100D, T150D, T1B,
170 T1B100D, T1B50D, T1BSB, T1-C, T1D, T1SB, T5, T5100D, TM1, TM1C;
- 171 (xx) UMAREX UZI rifle;
- 172 (xxi) UZI Mini Carbine, UZI Model A Carbine and UZI Model B Carbine;
- 173 (xxii) Valmet M62S, M71S and M78;
- 174 (xxiii) Vector Arms UZI Type;
- 175 (xxiv) Weaver Arms Nighthawk; and
- 176 (xxv) Wilkinson Arms Linda Carbine.
- 177 (g) All of the following pistols:

178 (i) All AK types, including the following: Centurion 39 AK pistol, CZ Scorpion pistol,
179 Draco AK-47 pistol, HCR AK-47 pistol, IO Inc. Hellpup AK-47 pistol, Krinkov pistol, Mini
180 Draco AK-47 pistol, PAP M92 pistol and Yugo Krebs Krink pistol;

181 (ii) All AR types, including the following: American Spirit AR-15 pistol, Bushmaster
182 Carbon 15 pistol, Chiappa Firearms M4 Pistol GEN II, CORE Rifle Systems CORE15 Roscoe
183 pistol, Daniel Defense MK18 pistol, DoubleStar Corporation AR pistol, DPMS AR-15 pistol,
184 Jesse James Nomad AR-15 pistol, Olympic Arms AR-15 pistol, Osprey Armament MK-18
185 pistol, POF USA AR pistols, Rock River Arms LAR 15 pistol and Uselton Arms Air-Lite M-4
186 pistol;

187 (iii) Calico pistols; DSA SA58 PKP FAL pistol; Encom MP-9 and MP-45;

188 (iv) Heckler & Koch model SP-89 pistol;

189 (v) Intratec AB-10, TEC-22 Scorpion, TEC-9 and TEC-DC9;

190 (vi) IWI Galil Ace pistol, UZI PRO pistol

191 (vii) Kel-Tec PLR 16 pistol;

192 (viii) All MAC types, including the following: MAC-10, MAC-11, Masterpiece Arms
193 MPA A930 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol and MPA Mini Tactical Pistol,
194 Military Armament Corp. Ingram M-11 and Velocity Arms VMAC;

195 (ix) Sig Sauer P556 pistol;

196 (x) Sites Spectre;

197 (xi) All Thompson types, including the following: TA510D and TA5;

- 198 (xii) All UZI types, including Micro-UZI.
- 199 (h) All of the following shotguns:
- 200 (i) DERYA Anakon MC-1980, Anakon SD12;
- 201 (ii) Doruk Lethal shotguns;
- 202 (iii) Franchi LAW-12 and SPAS 12;
- 203 (iv) All IZHMAISH Saiga 12 types, including the following: Saiga 12, Saiga 12S, Saiga
204 12S EXP-01, Saiga 12K, Saiga 12K-030, Saiga 12K-040 Taktika;
- 205 (v) Streetsweeper; and
- 206 (vi) Striker 12.
- 207 (i) Any shotgun with a revolving cylinder.
- 208 (j) All belt-fed semiautomatic firearms, including TNW M2HB and FN M2495.
- 209 (k) a copy or duplicate of any firearm listed or meeting the standards of sections (a) to (f),
210 inclusive, that was manufactured or subsequently configured with an ability to accept a
211 detachable magazine, and: (i) its internal functional components are substantially similar in
212 construction and configuration to those of an enumerated weapon; or (ii) it has a receiver that is
213 the same as or interchangeable with the receiver of an enumerated weapon.
- 214 (l) The term shall not include: (i) any of the firearms, or replicas or duplicates of such
215 weapons lawfully possessed on September 13, 1994; (ii) any weapon that is operated by manual
216 bolt, pump, lever or slide action.

217 "Automatic conversion", any modification made to a firearm or any part capable of being
218 attached to a firearm that allows for the automatic discharge of a number of shots or bullets with
219 one continuous activation of the trigger.

220 "Automatic part", any part capable of being attached to a firearm that allows for the
221 automatic discharge of a number of shots or bullets with one continuous activation of the trigger.

222 "Barrel", the tube through which a projectile or shot charge is fired.

223 "Bona Fide Collectors of Firearms", an individual who acquires firearms for such lawful
224 purposes as historical significance, display, research, lecturing, demonstration, test firing,
225 investment or like purpose. The acquisition of firearms for sporting use or for use as an offensive
226 or defensive weapon shall not qualify an applicant as a bona fide collector of firearms. An
227 individual licensed pursuant to 18 U.S.C. C. 44 s. 923(b) shall be deemed a bona fide collector of
228 firearms for purposes of this chapter.

229 SECTION 27. Said section 121 of said chapter 140, as so appearing, is hereby further
230 amended by inserting, after the definition of "bump stock", the following definition: -

231 "Common long gun", a rifle or shotgun that is not large capacity and cannot produce
232 semiautomatic or automatic fire.

233 SECTION 28. Said section 121 of said chapter 140, as so appearing, is hereby further
234 amended by striking out, in line 43, the words "131R to 131Y" and inserting in place thereof the
235 words: - 131 to 131G.

236 SECTION 29. Said section 121 of said chapter 140, as so appearing, is hereby further
237 amended by inserting, after the definition of "court", the following definitions: -

238 "Covert firearm", a firearm that is not a stun gun, capable of discharging a bullet or shot,
239 that is constructed in a shape that does not resemble a firearm or is not immediately recognized
240 as a firearm, including, but not limited to zip guns, concealed bolt guns, folding guns and any
241 other weapon that resemble key-chains, pens, canes, wallets, flashlights, cigarette-lighters or
242 cigarette-packages, flare guns, pellet guns and bb gun conversion kits and camouflaging firearm
243 containers.

244 "Curio or relic firearms", firearms which are of special interest to collectors because they
245 possess some qualities not ordinarily associated with firearms intended for sporting use or as
246 offensive or defensive weapons.

247 SECTION 30. Said section 121 of said chapter 140, as so appearing, is hereby further
248 amended by striking out the definition of "deceptive weapon device" and inserting in place
249 thereof the following definitions: -

250 "Deceptive firearm device", any device that is intended to convey the presence of a
251 firearm that is used in the commission of a violent crime, as defined in this section, and which
252 presents an objective threat of immediate death or serious bodily harm to a person of reasonable
253 and average sensibility.

254 "Downloadable gun code", digital instruction in the form of computer-aided design files
255 or other code or instructions stored or displayed in electronic format as a digital model that may
256 be used to manufacture or produce a firearm, firearm receiver, feeding device or firearm
257 component using additive manufacturing.

258 SECTION 31. Said section 121 of said chapter 140, as so appearing, is hereby further
259 amended by striking out the definition of “firearm” and inserting in place thereof the following
260 definitions: -

261 “Feeding device”, any magazine, belt, strip, drum or similar device that holds
262 ammunition for a firearm, whether fixed or detachable from a firearm.

263 “Fire control component”, part(s) designed to hold back the hammer, striker, bolt or
264 similar primary energized part prior to initiation of the firing sequence in a firearm.

265 “Firearm”, a weapon, including but not limited to a stun gun, pistol, revolver, rifle,
266 shotgun, sawed-off shotgun, assault-style firearm and machine gun, loaded or unloaded, which is
267 designed to or may readily be converted to expel a shot or bullet; the frame or receiver or the
268 barrel of any such weapon; provided, however, that the term firearm shall not include any
269 antique firearm or permanently inoperable firearm.

270 “Firearm part”, any element or replacement element specifically designed for a firearm
271 and essential to its operation, including a barrel, frame or receiver, slide or cylinder, bolt or
272 breech block.

273 “Fixed magazine”, an ammunition feeding device contained in, or permanently attached
274 to, a firearm in such a manner that the device cannot be removed without disassembly of the
275 firearm action.

276 “Frame or receiver”, part of a firearm that provides the housing or structure designed to
277 hold or integrate one or more fire control components, even if pins or other attachments are
278 required to connect those components to the housing or structure.

279 SECTION 32. Said section 121 of said chapter 140, as so appearing, is hereby further
280 amended by striking out the definition of “large capacity feeding device” and inserting in place
281 thereof the following definition: -

282 "Large capacity feeding device", (i) a fixed or detachable magazine, belt, drum, feed strip
283 or similar device that has a capacity of, or that can be readily converted to accept, more than 10
284 rounds of ammunition or more than 5 shotgun shells; or (ii) any part or combination of parts
285 from which a device can be assembled if those parts are in the possession or control of the same
286 person. The term shall not include: (i) any device that has been permanently altered so that it
287 cannot accommodate more than 10 rounds of ammunition or more than 5 shotgun shells; (ii) an
288 attached tubular device designed to accept, and capable of operating only with, .22 caliber
289 rimfire ammunition or (iii) a tubular magazine that is contained in a lever-action firearm.

290 SECTION 33. Said section 121 of said chapter 140, as so appearing, is hereby further
291 amended by striking out the definition of “large capacity weapon” and inserting in place thereof
292 the following definition: -

293 "Large capacity firearm", any firearm that: (i) is semiautomatic with a fixed large
294 capacity feeding device; (ii) is semiautomatic and capable of accepting, or readily modifiable to
295 accept, any detachable large capacity feeding device when both are in the same person's
296 possession or under their control in a vehicle; (iii) employs a rotating cylinder capable of
297 accepting more than 10 rounds of ammunition or more than 5 shotgun shells; or (iv) that is an
298 assault-style firearm. The term "large capacity firearm" shall be a secondary designation and
299 shall apply to a weapon in addition to its primary designation as a firearm, and shall not include:
300 (i) any firearm that operates by manual bolt, pump, lever or slide action; (ii) any firearm that is a

301 single-shot weapon; (iii) any firearm that has been modified so as to render it permanently
302 inoperable or otherwise rendered permanently unable to be designated a large capacity firearm;
303 or (iv) any firearm that is an antique or relic, theatrical prop or other weapon that is not capable
304 of firing a projectile and which is not intended for use as a functional weapon and cannot be
305 readily modified through a combination of available parts into an operable large capacity
306 firearm.

307 SECTION 34. Said section 121 of said chapter 140, as so appearing, is hereby further
308 amended by inserting, in line 119, after the word “them” the following words: - ; provided,
309 however, that should not such chief or officer exist the colonel of the state police shall act as
310 licensing authority.

311 SECTION 35. Said section 121 of said chapter 140, as so appearing, is hereby further
312 amended by striking out, in line 122, the words “rapidly or”.

313 SECTION 36. Said section 121 of said chapter 140, as so appearing, is hereby further
314 amended by striking out, in lines 123 to 124, the words “; provided, however, that "machine gun"
315 shall include bump stocks and trigger cranks”.

316 SECTION 37. Said section 121 of said chapter 140, as so appearing, is hereby further
317 amended by inserting, after the definition of “machine gun”, the following definitions: -

318 "Manufacture or assemble”, to (i) fabricate, make, form, produce, or construct, by manual
319 labor or by machinery, a firearm; or (ii) fit together a firearm’s component parts. Does not
320 include making or fitting special barrels, stocks, or trigger mechanisms to firearms.

321 “Nonresident”, a person who is temporarily in Massachusetts but legally resides in
322 another state or territory of the United States.

323 “Permanently embedded”, applied in such a way that cannot be easily or readily removed
324 without destroying the part to which it is applied.

325 SECTION 38. Said section 121 of said chapter 140, as so appearing, is hereby further
326 amended by striking out the definition of “petition” and inserting in place thereof the following
327 definition: -

328 “Petition”, as used in sections 131 to 131G, inclusive, a request filed with the court by a
329 petitioner for the issuance or renewal of an extreme risk protection order.

330 SECTION 39. Said section 121 of said chapter 140, as so appearing, is hereby further
331 amended by striking out the definition of “petitioner” and inserting in place thereof the following
332 definitions: -

333 "Petitioner", as used in sections 131 to 131G, inclusive: (i) a family or household
334 member; (ii) a law enforcement agency or officer, as defined in section 1 of chapter 6E; (iii) a
335 licensed physician, registered nurse, licensed practical nurse, certified nurse practitioner,
336 certified clinical nurse specialist, certified psychiatric clinical nurse specialist, licensed
337 psychiatrist, licensed psychologist, licensed mental health counselor, licensed marriage and
338 family therapist, licensed independent clinical social worker, or licensed certified social worker
339 who has provided health care services to the respondent within the preceding 6 months; (iv) an
340 administrator of a elementary school, secondary school, college, university or other educational
341 institution where the respondent is enrolled; or (v) an employer of the respondent.

342 “Privately made firearm”, a firearm manufactured or assembled by an individual who is
343 not a licensed manufacturer.

344 SECTION 40. Said section 121 of said chapter 140, as so appearing, is hereby further
345 amended by striking out the definition of “respondent” and inserting in place thereof the
346 following definition: -

347 "Respondent", as used in sections 131 to 131G, inclusive, the person identified as the
348 respondent in a petition against whom an extreme risk protection order is sought.

349 SECTION 41. Said section 121 of said chapter 140, as so appearing, is hereby further
350 amended by striking out, in line 136, the word “weapon” and inserting in place thereof the
351 following word: - firearm.

352 SECTION 42. Said section 121 of said chapter 140, as so appearing, is hereby further
353 amended by striking out, in lines 139, 140 and 147, each time it appears, the word “weapon” and
354 inserting in place thereof, in each instance, the following word: - firearm.

355 SECTION 43. Said section 121 of said chapter 140, as so appearing, is hereby further
356 amended by inserting, after the definition of “sawed-off shotgun”, the following definitions: -

357 "Secured in a locked container”, at a minimum the container must be capable of being
358 unlocked only by means of a key, combination or similar means and it must be able to deter all
359 but the most persistent from gaining access. A room or a store even if capable of being locked
360 and surveilled is insufficient.

361 “Self-defense spray”, chemical mace, pepper spray or any device or instrument which
362 contains, propels or emits a liquid, gas, powder or other substance designed to incapacitate.

363 SECTION 44. Said section 121 of said chapter 140, as so appearing, is hereby further
364 amended by inserting, after the definition of “semiautomatic”, the following definitions: -

365 “Serial number”, a unique identifying number provided by a government entity.

366 “Serialization”, the process of conspicuously engraving, casting or otherwise
367 permanently stamping a unique serial number on a firearm frame or receiver or firearm barrel.
368 The serial number must be placed in a manner not susceptible of being readily obliterated,
369 altered or removed and must be engraved, cast or stamped to a minimum depth of .003 inch and
370 in a print size no smaller than 1/16 inch. Serialization of firearms, frames and receivers made
371 from non-metallic materials must be accomplished by using a metal plate permanently embedded
372 in the material of the frame or receiver.

373 SECTION 45. Said section 121 of said chapter 140, as so appearing, is hereby further
374 amended by striking out the definition of “trigger crank” and inserting in place thereof the
375 following definitions: -

376 “Trigger modifier”, any modification that repeatedly activates the trigger of a firearm
377 including but not limited to trigger cranks, binary triggers and hellfire triggers.

378 “Undetectable firearm”, a firearm that, after the removal of grips, stocks, and magazines,
379 is not detectable by walk-through metal detectors calibrated and operated to detect the security
380 exemplar defined in 18 U.S.C. Section 922(p)(2)(C), or a major component of a firearm that,
381 when inspected by detection devices commonly used at secure public buildings and transit
382 stations, does not generate an image that accurately depicts the shape of the component.

383 “Untraceable firearm”, a firearm that has not been serialized by a government entity or a
384 firearm on which a serial or other identification number has been removed, defaced, altered,
385 obliterated or mutilated in any manner.

386 SECTION 46. Said section 121 of said chapter 140, as so appearing, is hereby further
387 amended by striking out, in lines 175 to 192, the following words: -

388 "Weapon", any rifle, shotgun or firearm.

389 Where the local licensing authority has the power to issue licenses or cards under this
390 chapter, but no such licensing authority exists, any resident or applicant may apply for such
391 license or firearm identification card directly to the colonel of state police and said colonel shall
392 for this purpose be the licensing authority.

393 Sections 122 to 129D, inclusive, and sections 131, 131A, 131B and 131E shall not apply
394 to:

395 (A) any firearm, rifle or shotgun manufactured in or prior to the year 1899;

396 (B) any replica of any firearm, rifle or shotgun described in clause (A) if such replica: (i)
397 is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or
398 (ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in
399 the United States and which is not readily available in the ordinary channels of commercial
400 trade; and

401 (C) manufacturers or wholesalers of firearms, rifles, shotguns or machine guns.

402 SECTION 47. Said chapter 140 of the General Laws, as so appearing, is hereby amended
403 by striking out section 121A and inserting in place thereof the following sections: -

404 Section 121A. Local licensing authorities; procedures; false information; punishment

405 (a) A licensing authority shall, within 40 days from the date of receipt of a completed
406 application for any license or permit issued under sections 124 to 125B, inclusive, or renewal of
407 the same, either approve the application and issue the license or permit or deny the application
408 and notify the applicant of the reason for such denial in writing; provided, however, that no
409 license or permit shall be issued unless the colonel of the state police has certified that the
410 information available indicates that issuing the license or permit is not in violation of state or
411 federal law.

412 (b) Upon receiving the application, the licensing authority shall provide the applicant
413 with a receipt that includes: (i) the applicant's name and address, current license or permit
414 number and expiration date, if any; (ii) the date the licensing authority received the application;
415 the name, address and telephone number of the licensing authority or its agent that received the
416 application; the type of application; and (iii) whether the application is for a new license or
417 permit or renewal of the same.

418 (c) Within 7 days of receipt of the completed application the licensing authority shall
419 forward one copy of the application and one copy of the applicant's fingerprints to the colonel of
420 the state police; provided, however, that the taking of fingerprints shall not be required in issuing
421 a renewal if the applicant's fingerprints are on file with the department of the state police.

422 (d) The colonel of the state police shall within 30 days advise the licensing authority, in
423 writing, of any disqualifying criminal record of the applicant arising from within or without the
424 commonwealth and whether there is reason to believe that the applicant is disqualified from
425 possessing the license or permit requested. If the information available to the colonel does not

426 indicate that issuing the license would be in violation of state or federal law, the colonel shall
427 certify such fact to the licensing authority within said 30-day period. In searching for any
428 disqualifying history of the applicant, the colonel shall: (i) utilize, or cause to be utilized, files
429 maintained by the department of probation and statewide and nationwide criminal justice,
430 warrant and protection order information systems and files including, but not limited to, the
431 National Instant Criminal Background Check System; and (ii) inquire of the commissioner of
432 the department of mental health relative to whether the applicant is disqualified from receiving a
433 license or permit.

434 (e) The licensing authority may also make inquiries concerning an applicant to: (i) the
435 commissioner of the department of criminal justice information services relative to any
436 disqualifying condition and records of purchases, sales, rentals, leases and transfers of weapons
437 or ammunition concerning the applicant; (ii) the commissioner of probation relative to any
438 record contained within the department of probation or the statewide domestic violence record
439 keeping system concerning the applicant; and (iii) the commissioner of the department of mental
440 health relative to whether the applicant is a suitable person to possess firearms. The director or
441 commissioner to whom the licensing authority makes such an inquiry shall provide prompt and
442 full cooperation with any investigation of the applicant.

443 (f) Whoever knowingly files an application for any license or permit issued under
444 sections 124 to 125B, inclusive, containing false information or knowingly issues any such
445 license or permit in violation of this chapter shall be punished by a fine of not less than \$500 nor
446 more than \$1000 or by imprisonment for not less than 6 months nor more than 2 years in a house
447 of correction, or by both such fine and imprisonment. Section 121B. Local licensing authorities;
448 record of licenses; reporting to department of criminal justice information services

449 (a) The application for any license or permit issued under sections 124 to 125B, inclusive,
450 shall be made in a standard form provided by the commissioner of the department of criminal
451 justice information services, which shall require the applicant, or parent or guardian of a minor,
452 to affirmatively state, under the pains and penalties of perjury, that they are not disqualified on
453 any of the grounds enumerated in section 123 of this chapter from being issued such license or
454 permit.

455 (b) A licensing authority, shall record in books, forms or electronic files kept for that
456 purpose on the business premises, and on an electronic portal provided by the department, when
457 produced or received, all: (i) firearms licensing applications, receipts, fees, affidavits and training
458 certificates; (ii) issued licenses and permits, and denials, revocations and suspensions of the
459 same; (iii) decisions of the firearm licensing review board; and (iv) firearm transfers including
460 deliveries, seizures, surrenders, loss or theft or disposals. The department shall ensure automatic
461 notification to the licensing authority of the existence of any disqualifying condition discovered
462 or occurring subsequent to the issuance of said license or permit.

463 (c) Any license or permit issued under sections 124, 124B and 124C shall be issued in
464 standard form provided by the department in a size and shape equivalent to that of a license to
465 operate motor vehicles issued by the registry of motor vehicles pursuant to section 8 of chapter
466 90 and shall be clearly marked with the license or permit name. It shall contain a license or
467 permit number, name, address, photograph, fingerprint, place and date of birth, height, weight,
468 hair color, eye color and signature of the licensee or permit-holder and shall provide in a legible
469 font size and style the phone numbers for the National Suicide Prevention Lifeline and the
470 Samaritans Statewide Hotline.

471 Section 121C. Colonel of state police; statewide firearm surrender program

472 Notwithstanding any general or special law, rule or regulation to the contrary, the colonel
473 of state police, in conjunction with the secretary of the executive office of public safety, shall
474 promulgate rules and regulations implementing a statewide firearm surrender program. In
475 conjunction with this program only, any resident of the commonwealth who complies with the
476 policies set forth by the colonel shall not be asked for identification and shall be immune from
477 prosecution for possession of such firearm, feeding device or ammunition; provided, however,
478 that nothing herein shall prohibit the prosecution of any person for the unlawful possession of a
479 firearm, feeding device or ammunition who is not in compliance with the conditions and
480 procedures established by the colonel; and provided further, that nothing herein shall prohibit the
481 prosecution of any person for any other offense committed within the commonwealth.

482 Any firearm, feeding device or ammunition surrendered under this program that is
483 reported lost or stolen shall be returned to its lawful owner, provided, however, that any firearm,
484 feeding device or ammunition suspected to be evidence in a crime shall remain in the custody
485 and control of the department of state police in the same manner as any other such firearm,
486 feeding device or ammunition lawfully seized by the department of state police. The department
487 of state police may test-fire and preserve any and all firearms voluntarily surrendered. All
488 firearms, feeding devices and ammunition that have been voluntarily surrendered that are not
489 suspected to be evidence of criminal activity and have not been reported stolen shall be disposed
490 of in accordance with procedures established by the colonel.

491 SECTION 48. Said chapter 140 of the General Laws, as so appearing, is hereby amended
492 by striking out section 122 and inserting in place thereof the following section: -

493 Section 122. Registration of firearms; reporting; loss or theft; punishment

494 (a) All firearms and feeding devices possessed in the commonwealth must be registered
495 in accordance with this section. All firearms and feeding devices purchased, acquired,
496 manufactured, or assembled in the commonwealth shall, at the time of purchase, acquisition,
497 manufacture or assembly be registered unless the firearm is imported by: (i) a new resident
498 moving into the commonwealth who causes the firearm to be serialized and registered within 60
499 days of arrival; (ii) an heir who is transferred the firearm through the distribution of an estate and
500 causes said firearm to be serialized and registered within 60 days of taking possession; (iii) a
501 licensed dealer, gunsmith, distributor or manufacturer who causes said firearm to be serialized
502 and registered within 10 days of taking possession. Privately made firearms must be registered
503 within 7 days of manufacture or assembly pursuant to section 122A.

504 (b) The registration of all firearms and feeding devices shall be via a real time electronic
505 system developed and maintained by the department of criminal justice information services
506 and, at a minimum, include the following information: (i) name, address and contact information
507 of registrant; (ii) license or permit type, number, and expiration date for registrant or
508 documentation of exemption pursuant to sections 127 or 127A; (iii) manufacturer, make, model,
509 caliber, and serial number of each firearm or feeding device; (iv) date each firearm or feeding
510 device was acquired; (v) name and address of source from which each firearm or feeding device
511 was obtained, including the name and address of the prior registrant if applicable; and (vi) a
512 statement signed by the registrant under the pains and penalties of perjury that they are properly
513 licensed, permitted or exempted under the laws of the commonwealth and are not otherwise
514 prohibited from owning or possessing a firearm or feeding device. If the firearm or feeding
515 device has been assembled from separate parts, the registrant shall include such information on

516 the registration form and include all applicable serial numbers and manufacturers. If the firearm
517 or feeding device has been manufactured or assembled using additive manufacturing, the
518 registrant shall include such information on the registration form.

519 (c) Any sale, rental, lease, loan, surrender, disposal, or other transfer of a firearm or
520 feeding device within the commonwealth must be reported via a real time electronic system
521 developed and maintained by the department of criminal justice information services within 7
522 days of sale, rental, lease, surrender, disposal or transfer; provided, however, that no report is
523 required for a loan of a firearm or feeding device to a duly licensed or exempted person for a
524 period of less than 7 days.

525 (d) Firearm tracing reports by law enforcement created pursuant to section 122C shall be
526 reported and the department of criminal justice information services shall ensure that this system
527 automatically populates such information into the federal electronic system maintained by the
528 department of alcohol, tobacco and firearms.

529 (d) Any loss or theft of a firearm or feeding device, or subsequent recovery thereof, by
530 any person or entity, shall be reported via the electronic portal to the licensing authority or state
531 police where it is registered and the department of criminal justice information services in
532 accordance with section 123C. Such report shall include, but is not limited to, a complete
533 description of the firearm, including the make, model, serial number and caliber and whether it is
534 a large capacity firearm. The portal shall provide automatic and immediate notification to the
535 licensing authority in the town or city where the owner resides and where the license or permit
536 was issued

537 (e) The registration requirements of this section shall not apply to firearms or feeding
538 devices: (i) being delivered to law enforcement for the sole purpose of its destruction; (ii)
539 lawfully traveling through the commonwealth via common carrier; (iii) the property of the
540 government of the United States; or (iv) produced by federally licensed manufacturers not for
541 sale in the commonwealth.

542 (f) Whoever fails to report a purchase, sale, transfer, disposal, or removal in violation of
543 this section shall for the first offense be punished by a fine of not less than \$500 nor more than
544 \$1,000 and for any subsequent offense by imprisonment in the state prison for not more than 10
545 years.

546 (g) The executive office of public safety and security shall promulgate regulations for the
547 implementation of this section, which shall include information required for the registration and
548 reporting of firearms and feeding devices, public notice and an outreach campaign to promote
549 awareness of this section.

550 SECTION 49. Said chapter 140 of the General Laws, as so appearing, is hereby amended
551 by striking out section 122A and inserting in place thereof the following section: -

552 Section 122A. Serialization of firearms; privately made firearms

553 (a) All firearms and feeding devices manufactured, assembled, possessed, purchased or
554 otherwise transferred or acquired in the commonwealth or imported into the commonwealth shall
555 be serialized as defined in section 121 and in accordance with this section.

556 (b) No person may knowingly possess, offer for sale, sell or otherwise transfer or import
557 an untraceable firearm or feeding device in the commonwealth or into the commonwealth unless

558 the firearm or feeding device is serialized and registered at the time of sale or transfer or within
559 10 days of its import into the commonwealth unless the import is by: (i) a new resident moving
560 into the commonwealth who causes the firearm to be serialized and registered within 60 days of
561 arrival; (ii) an heir who is transferred the firearm through the distribution of an estate and causes
562 said firearm to be serialized and registered within 60 days of taking possession; or (iii) a licensed
563 dealer, gunsmith, distributor or manufacturer who causes said firearm to be serialized within 10
564 days of taking possession.

565 (c) No person shall manufacture or assemble a privately made firearm in the
566 commonwealth without: (i) prior to manufacture or assembly obtaining a unique serial number
567 from the department of criminal justice information services; (ii) during manufacture or
568 assembly serializing the firearm with the obtained serial number; and (iii) within 7 days of the
569 firearm's manufacture or assembly register the firearm with the department in accordance with
570 section 122.

571 (d) No person shall manufacture or assemble a privately made firearm unless it is
572 manufactured or assembled in a manner so that the completed firearm complies with all relevant
573 state and federal safety regulations.

574 (e) The department shall develop and maintain an electronic system to receive, record and
575 process requests for a unique serial number in accordance with this section. This system shall
576 integrate and populate the real time electronic portal created by the department to register all
577 firearms and report firearm transactions pursuant to section 122, ensuring all data on privately
578 made firearms is available for tracing purposes and data collection pursuant to sections 122B and
579 122C.

580 (f) Requests for a unique serial number through this system shall include information on
581 the person requesting a unique serial number, whether the request is for a privately made firearm,
582 the type of firearm or feeding device to be serialized, and, if privately made, the manner in which
583 production will take place, including whether an assembly kit or additive manufacturing will be
584 utilized.

585 (g) The registration requirements of this section shall not apply to firearms or feeding
586 devices: (i) being delivered to law enforcement for the sole purpose of its destruction; (ii)
587 lawfully traveling through the commonwealth via common carrier; (iii) the property of the
588 government of the United States; or (iv) produced by federally licensed manufacturers not for
589 sale in the commonwealth.

590 (h) The executive office of public safety and security, in consultation with the
591 department, shall promulgate rules and regulations for the implementation of this section,
592 including technical requirements for the serialization of firearms and feeding devices and
593 procedures for requesting serial numbers and which shall include public notice and an outreach
594 campaign to promote awareness of this section.

595 SECTION 50. Said chapter 140 of the General Laws, as so appearing, is hereby amended
596 by striking out section 122B and inserting in place thereof the following section: -

597 Section 122B. Firearms data; collection and reporting requirements (a) The department of
598 criminal justice information services in collaboration with the executive office of public safety
599 and security and the executive office of technology services and security, shall collect, assemble,
600 and publish data and other information relating to the use of firearms in the commonwealth.

601 (b) Subject to the conditions and requirements established elsewhere in the general laws,
602 state and local agencies, including but not limited to the department of the state police, local
603 licensing authorities, and other criminal justice agencies as defined in section 167 of chapter 6,
604 shall provide timely access to information requested by the department of criminal justice
605 information services pursuant to this section who shall promulgate rules and regulations to
606 ensure the prompt collection, organization, and publication of firearms information.

607 (c) The department of criminal justice information services shall make non-personally
608 identifying data accessible to the general public through the publication of an online dashboard
609 updated at least quarterly. This dashboard shall include but not be limited:

610 (1) the following aggregate data on the issuance of firearm licenses and long gun permits
611 pursuant to section 124 of chapter 140:

612 (i) age, gender, race, ethnicity, and municipality of applicants for a license to carry;

613 (ii) age, gender, race, ethnicity, and municipality of individuals whose applications for a
614 license to carry were denied;

615 (iii) age, gender, race, ethnicity, and municipality of applicants for a long gun permit; and

616 (iv) age, gender, race, ethnicity, and municipality of individuals whose applications for a
617 long gun permit were denied; and

618 (2) the following aggregate data on firearm-related violence, including but not limited to
619 firearm-involved crimes and attempted or completed suicides using firearms:

620 (i) type of incident in which a firearm was used (e.g., attempted or completed suicide,
621 homicide, accidental shooting, other firearm-involved crime);

622 (ii) age, gender, race, ethnicity of the firearm user;

623 (iii) age, gender, race, ethnicity of any victims of firearm-involved violence;

624 (iv) geographic location of the firearm-involved violence;

625 (v) license status of the firearm user;

626 (vi) whether the firearm user was a prohibited person as described in section 123 of
627 chapter 140;

628 (vii) whether an arrest was made;

629 (viii) the disposition of any prosecution;

630 (ix) whether the firearm was used connection with known gang activity, a domestic
631 dispute, or police interaction;

632 (x) make, model, manufacturer, and state or country of origin of involved firearms;

633 (xi) origins, source and secondary market of involved firearms, including whether they
634 were purchased from a licensed dealer or private sale; and

635 (xii) whether involved firearms were lost, stolen or otherwise illegally obtained.

636 (d) the department of criminal justice information services in coordination with the
637 executive office of public safety and security shall promulgate rules and regulations to ensure
638 prompt collection, exchange, dissemination and distribution of all firearm licensing information,
639 data and documents required in sections 121 to 131G, inclusive, in this chapter.

640 SECTION 51. Said chapter 140 of the General Laws, as so appearing, is hereby amended
641 by striking out section 122C and inserting in place thereof the following section: -

642 Section 122C. Tracing of firearms used to carry out criminal acts; statistical data; annual
643 report

644 A firearm used to carry out a criminal act shall be traced by the licensing authority for the
645 city or town in which the crime took place or the law enforcement agency taking possession of
646 the firearm. That law enforcement agency shall report all available statistical data to the
647 department of criminal justice information services. This statistical data shall include, but not be
648 limited to: (i) the make, model, serial number and caliber of the weapon used; (ii) the type of
649 crime committed; (iii) whether an arrest or conviction was made; (iv) whether fingerprint
650 evidence was found on the firearm; (v) whether ballistic evidence was retrieved from the crime
651 scene; (vi) whether the criminal use of the firearm was related to known gang activity; (vii)
652 whether the weapon was obtained illegally; (viii) whether the weapon was lost or stolen; and (ix)
653 whether the person using the weapon was otherwise a prohibited person.

654 The data shall be reported by the portal to the division of alcohol, tobacco and firearms
655 through its online database and to the commonwealth fusion center or the criminal firearms and
656 trafficking unit within the division of investigation and intelligence in the department of state
657 police established pursuant to section 6 of chapter 22C. The colonel of state police shall produce
658 an annual report by December 31 of each year regarding crimes committed in the commonwealth
659 using firearms, including all of the categories of data contained in this section, and shall submit a
660 copy of the report to the joint committee on public safety and homeland security, the clerks of

661 the house of representatives and the senate and, upon request, to criminology, public policy and
662 public health researchers and other law enforcement agencies.

663 SECTION 52. Sections 122D, 129B, 129C, 129D, 130 ½, 131½, 131¾, 131H, 131I,
664 131J, 131K, 131L, 131M, 131N, 131O, 131Q, 131R, 131S, 131T, 131U, 131V, 131W, 131X,
665 and 131Y of said chapter 140 of the General Laws are hereby repealed.

666 SECTION 53. Said chapter 140 of the General Laws, as so appearing, is hereby amended
667 by striking out section 123 and inserting in place thereof the following sections: -

668 Section 123. Firearms licensing; prohibited persons; suitability; exceptions

669 (a) A licensing authority shall deny any license or permit issued under sections 124 to
670 125B, inclusive, to any person found to be a prohibited person. For the purposes of administering
671 licenses and permits issued under said sections a prohibited person shall be a person who:

672 (i) has ever, in a court of the commonwealth or in any other state or federal jurisdiction,
673 been convicted or adjudicated a youthful offender or delinquent child, or both as defined in
674 section 52 of chapter 119, for the commission of: (A) a felony; (B) a misdemeanor punishable by
675 imprisonment for more than 2 years; (C) a violent crime as defined in section 121; (D) a
676 violation of any law regarding the use, possession, ownership or transfer of weapons or
677 ammunition for which a term of imprisonment may be imposed; (E) a violation of any law of the
678 commonwealth regulating the use, possession or sale of controlled substances, as defined in
679 section 1 of chapter 94C; or (F) a misdemeanor crime of domestic violence as defined in 18
680 U.S.C. 921(a)(33). Provided, however, that, the commission of (B), (D) or (E) shall only
681 disqualify an applicant for a long gun permit under section 124 for 5 years after the applicant

682 was convicted or adjudicated or released from confinement, probation or parole supervision for
683 such conviction or adjudication, whichever occurs last.

684 (ii) is, or has been: (A) committed to a hospital or institution for mental illness, alcohol or
685 substance abuse, except a commitment pursuant to sections 35 or 36C of chapter 123, unless
686 after 5 years from the date of the confinement the applicant submits with the application an
687 affidavit of a licensed physician or clinical psychologist attesting familiarity with the applicant's
688 mental illness, alcohol or substance abuse and that in the physician's or psychologist's opinion,
689 the applicant is not disabled by a mental illness, alcohol or substance abuse in a manner that shall
690 prevent the applicant from possessing the licensed firearm or permitted long gun; (B) committed
691 by a court order to a hospital or institution for mental illness, unless the applicant was granted a
692 petition for relief of the court order pursuant to said section 36C of said chapter 123 and submits
693 a copy of the court order with the application; (C) subject to an order of the probate court
694 appointing a guardian or conservator for an incapacitated person on the grounds that the
695 applicant lacks the mental capacity to contract or manage the applicant's affairs, unless the
696 applicant was granted a petition for relief of the order of the probate court pursuant to section
697 56C of chapter 215 and submits a copy of the order with the application; or (D) found to be a
698 person with an alcohol use disorder or substance use disorder or both and committed pursuant to
699 said section 35 of said chapter 123, unless the applicant was granted a petition for relief of the
700 court order pursuant to said section 35 and submits a copy of the court order with the application;

701 (iii) is currently subject to: (A) an order for suspension or surrender issued pursuant to
702 sections 3B or 3C of chapter 209A; (B) a permanent or temporary protection order issued
703 pursuant to said chapter 209A, including any order described in 18 U.S.C. 922(g)(8); (C) a
704 permanent or temporary harassment prevention order issued pursuant to chapter 258E; (D) an

705 extreme risk protection order issued pursuant to sections 131A and 131B; or (E) an order similar
706 to (A), (B), (C) or (D) issued by another jurisdiction;

707 (iv) is currently the subject of an outstanding arrest warrant in any state or federal
708 jurisdiction;

709 (v) is a person not legally or lawfully in the United States;

710 (vi) has been discharged from the armed forces of the United States under dishonorable
711 conditions; or

712 (vii) is a fugitive from justice.

713 (b) The licensing authority shall deny the application or renewal of any license or permit
714 issued under sections 124, 124B and 125 if the applicant is unsuitable to be issued or to continue
715 to hold this license; provided, however, that a court order is required to stay the issuance of a
716 long gun permit on these grounds. A determination of unsuitability shall be based on reliable,
717 articulable, and credible information that the applicant has exhibited or engaged in behavior that
718 suggests that, if issued a license to carry firearms, the applicant may create a risk to public safety
719 or a risk of danger to self or others. Upon denial of an application or renewal of this license
720 based on a determination of unsuitability, the licensing authority shall notify the applicant in
721 writing setting forth the specific reasons for the determination.

722 (c) The licensing authority may stay the issuance or renewal of a long gun permit under
723 section 124 by filing a petition requesting its denial on unsuitability grounds in the district court
724 of jurisdiction. Such petition shall be founded upon a written statement of the reasons for
725 supporting a finding of unsuitability and upon filing a copy of the written petition and statement

726 will be provided to the applicant. The court shall within 90 days of receiving the filed petition
727 hold a hearing to determine if the applicant for the long gun permit is unsuitable and enter a
728 judgment on suitability. A determination of unsuitability shall be based on a preponderance of
729 the evidence that there is reliable, articulable, and credible information that the applicant has
730 exhibited or engaged in behavior that suggests that, if issued a long gun license, the applicant
731 may create a risk to public safety or a risk of danger to self or others. If a court enters a judgment
732 that an applicant is unsuitable the court shall notify the applicant in writing setting forth the
733 specific reasons for such determination. If a court has not entered a judgement that an applicant
734 is unsuitable within 90 days of the petition, the court shall enter a judgment that the applicant is
735 suitable for a long gun license absent any other disqualification.

736 (d) An applicant or holder of a license or permit aggrieved by a denial, revocation or
737 suspension of a license or permit issued under sections 124 to 125B, inclusive, may appeal this
738 decision pursuant to section 123D.

739 (e) The executive office of public safety and security in cooperation with the department
740 of criminal justice information services shall, unless otherwise explicitly assigned, promulgate
741 rules and regulations to effectuate the firearms licensing procedures, standards and trainings as
742 outlined in sections 121 to 129A, inclusive.

743 (f) No license or permit under this chapter shall be required for a legal resident of the
744 commonwealth over the age of 18 to carry or possess:

745 (i) a firearm known as a detonator and commonly used on vehicles as a signaling and
746 marking device and only when carried or possessed for such purposes; or

747 (ii) any device used exclusively for signaling or distress use and required or
748 recommended by the United States Coast Guard or the Interstate Commerce Commission, or for
749 the firing of stud cartridges, explosive rivets or similar industrial ammunition.

750 Section 123A. Firearms licensing review board; members: license applicants; hearing

751 (a) There shall be a firearm licensing review board, established within the department of
752 criminal justice information services, in this section called the board, comprised of 7 members:,
753 1 of whom shall be a member of the department of criminal justice information services
754 appointed by the commissioner and who shall be the chair, 1 of whom shall be the secretary of
755 public safety or their designee, 1 of whom shall be the colonel of state police or their designee, 1
756 of whom shall be appointed by the Massachusetts Chiefs of Police Association, 1 of whom shall
757 be the attorney general or their designee, 1 whom shall be an attorney with litigation experience
758 in firearm licensing cases and appointed by the governor from a list of qualified persons
759 submitted to the governor by the Massachusetts Bar Association, and 1 of whom shall be a
760 retired member of the judiciary and appointed by the governor.

761 (b) An applicant for a long gun permit or license to carry who has been convicted of or
762 adjudicated a delinquent child or youthful offender by reason of an offense or offenses
763 punishable by 2 1/2 years imprisonment or less when committed under the laws of the
764 commonwealth which was not: (a) an assault or battery on a family member or household
765 member, as defined by section 1 of chapter 209A, except that the determination to be made under
766 clause (e) of said section 1 of said chapter 209A shall be made by the review board, may, after
767 the passage of 5 years from conviction, adjudication as a youthful offender or a delinquent child
768 or release from confinement, commitment, probation or parole supervision for such conviction or

769 adjudication, whichever is last occurring, file a petition for review of eligibility with the firearm
770 licensing review board.

771 (c) The petitioner shall provide to the board a copy of a completed long gun permit or
772 license to carry application, which application shall have previously been submitted to the
773 licensing authority or be submitted to the licensing authority contemporaneously with the
774 petition filed with the board. The petitioner shall have the burden to prove his suitability to
775 receive a long gun permit or a license to carry by clear and convincing evidence. The board shall
776 set a reasonable filing fee to file the petition.

777 (d) If the board determines, by 2/3rds vote, that: (i) the sole disqualifier for the petitioner
778 is any conviction or adjudication as a youthful offender or a delinquent child for an offense or
779 offenses punishable by 2 1/2 years imprisonment or less when committed under the laws of the
780 commonwealth, arising out of a single incident and which does not otherwise disqualify the
781 petitioner and which was not an assault or battery on a family member or household members, as
782 defined by section 1 of chapter 209A, except that the determination to be made under clause (e)
783 of said section 1 of said chapter 209A shall be made by the board; (ii) 5 years has passed since
784 such conviction or adjudication or release from confinement, commitment, probation or parole
785 supervision for such conviction or adjudication, whichever is last occurring; and (iii) by clear
786 and convincing evidence, that the petitioner is a suitable person to be a long gun permit or
787 license to carry holder, the board shall determine that the petitioner's right or ability to possess a
788 firearm is fully restored in the commonwealth with respect to such conviction or adjudication
789 and that such conviction or adjudication shall not prohibit such petitioner from applying to a
790 licensing authority for a long gun permit or license to carry. The board shall make a
791 determination on a petition within 60 days after receipt of the petition.

792 (e) The board shall hold hearings at such times and places as in its discretion it
793 reasonably determines to be required, but not less than once every 90 days, and shall give
794 reasonable notice of the time and place of the hearing to the petitioner. The board shall have the
795 power to compel attendance of witnesses at hearings.

796 (f) All hearings shall be conducted in an informal manner, but otherwise according to the
797 rules of evidence, and all witnesses shall be sworn by the chair. If requested by the petitioner and
798 payment for stenographic services, as determined by the board, accompanies such request, the
799 board shall cause a verbatim transcript of the hearing to be made. The board's decisions and
800 findings of facts therefore shall be communicated in writing to the petitioner and to the licensing
801 authority to whom the petitioner has applied or intends to apply within 20 days of rendering a
802 decision.

803 (g) Members of the board shall serve without compensation but shall be entitled to
804 reasonable subsistence and travel allowances in the performance of their duties.

805 (h) The executive office of public safety and security shall promulgate rules and
806 regulations to effectuate this section.

807 Section 123B. Firearms licensing; fees; renewals; expiration; penalty

808 (a) All application fees for licenses and permits issued under sections 124 to 125B,
809 inclusive, shall be payable to the licensing authority and shall not be prorated or refunded in case
810 of revocation or denial. Notwithstanding any general or special law to the contrary, licensing
811 authorities shall deposit all fees into the specified funds quarterly, not later than January 1, April
812 1, July 1 and October 1 of each year.

813 (b) Unless otherwise stated in this section the fee for an application or renewal of:

814 (i) any license or permit shall be \$100 of which the licensing authority shall retain \$25 of
815 the fee; \$50 of the fee shall be deposited into the General Fund and not less than \$50,000 of the
816 total funds deposited into the General Fund shall be allocated to the Firearm Licensing Review
817 Board, established in section 123A, for its operations and that any funds not expended by said
818 board for its operations shall revert back to the General Fund; and \$25 of the fee shall be
819 deposited in the Firearms Fingerprint Identity Verification Trust Fund;

820 (ii) a license to carry firearms for active and retired law enforcement officials, or local,
821 state, or federal government entities acting on their behalf shall be \$25 of which half shall be
822 retained by the licensing authority and half deposited into the General Fund; and

823 (iii) a long gun permit for persons under 18 years of age or a self-defense spray permit
824 shall be \$25 of which half shall be retained by the licensing authority and half deposited into the
825 General Fund.

826 (c) Any person over the age of 70 and any law enforcement officer applying through their
827 employing agency for renewal of a license to carry firearms or long gun permit shall be exempt
828 from the requirement of paying a renewal fee.

829 (d) Any person with a license to sell under section 125 shall not be assessed any
830 additional fee for a gunsmith's license.

831 (e) The commissioner of the department of criminal justice information services shall
832 send electronically or by first class mail to the license or permit holder, a notice of the expiration

833 of the license or permit not less than 90 days before its expiration and shall enclose or link to a
834 form for its renewal. The form for renewal shall include:

835 (i) an affidavit which must be completed and returned in order to renew the license or
836 permit in which the applicant shall verify that the applicant has not lost or had stolen any kind of
837 firearm or a rifle or shotgun, for a license and permit respectively, from the applicant's
838 possession since the date of the applicant's last renewal or issuance; and

839 (ii) all pertinent information about the penalties and punishments that may be imposed if
840 the license or permit is not renewed.

841 (f) Notwithstanding any general law to the contrary, an expired license to carry firearms
842 or a long gun permit shall remain valid for all lawful purposes if:

843 (i) the licensee or permit holder applied for renewal before the license or permit
844 expiration date until the application for renewal is approved or denied;

845 (ii) the licensee or permit holder is on active duty with the armed forces of the United
846 States on the expiration date of the license, the license or permit shall remain valid until the
847 licensee or permit holder is released from active duty and for a period of not less than 180 days
848 following the release; provided, however, that, if the licensee or permit holder applied for
849 renewal prior to the end of that period, the license or permit shall remain valid after its expiration
850 date for all lawful purposes until the application for renewal is approved or denied; or

851 (iii) the expiration period has not yet exceeded 90 days beyond the stated date of
852 expiration, unless such license to carry or long gun permit has been revoked or suspended.

853 (g) Any person in possession of a firearm or long gun license whose respective license to
854 carry firearms or long gun permit is invalid for the sole reason that it has expired, not including
855 licenses and permits that remain valid under (f), and not otherwise disqualified from renewal
856 upon application, shall be subject to a civil fine of not less than \$100 nor more than \$5,000 and
857 section 10 of chapter 269 shall not apply; provided, however, that this exemption shall not apply
858 if such license or permit: (i) has been revoked or suspended unless such revocation or suspension
859 was caused by failure to give notice of a change of address; (ii) is the subject of pending
860 revocation or suspension unless such revocation or suspension was caused by failure to give
861 notice of a change of address; or (iii) has had an application for renewal denied. Any law
862 enforcement officer who discovers a person to be in possession of a firearm after such person's
863 license or permit has expired, meaning after 90 days beyond the stated expiration date on the
864 license, has been revoked or suspended, solely for failure to given notice of a change of address,
865 shall confiscate such firearm and the expired or suspended license then in possession and such
866 officer, shall forward such license or permit to the licensing authority by whom it was issued as
867 soon as practicable. The officer shall, at the time of confiscation, provide to the person whose
868 firearm has been confiscated, a written inventory and receipt for all firearms confiscated and the
869 officer shall exercise due care in the handling, holding and storage of these items. Any
870 confiscated firearm shall be returned to the owner upon the renewal or reinstatement of such
871 expired or suspended license within 1 year of such confiscation or may be otherwise disposed of
872 in accordance with section 123E. This paragraph shall not apply to temporary licenses to carry
873 under section 124B.

874 Section 123C. Firearms licensing; loss or theft; punishment

875 (a) Licensees with a license to sell under section 125 shall, upon notice of any loss or
876 theft of a firearm, ammunition feeding device or ammunition therefor from the licensee or
877 licensee's business premises shall immediately report such loss or theft to the department of
878 criminal justice information services.

879 (b) A person licensed or permitted under sections 124 or 124B or exempted under
880 sections 127 or 127A must, within seven days, report any loss, theft or recovery of a firearm to
881 the department of criminal justice information services.

882 (c) Whoever fails to report the loss or theft of a firearm or recover thereof as outlined in
883 paragraph (c) shall be punished as follows: (i) by a fine of not more than \$1000 for a first
884 offense; (ii) by a fine of not more than \$7,500 for a second offense or imprisonment for up to 6
885 months, or both such fine and imprisonment; and (iii) by a fine of not more than \$10,000 or
886 imprisonment for not less than 1 year nor more than 5 years, or by both such fine and
887 imprisonment, for a third or subsequent offense. Failure to report shall also be a cause for
888 suspension or permanent revocation of a person's license or permit.

889 Section 123D. Firearms licensing; revocation; suspension; appeals

890 (a) A licensing authority shall revoke or suspend any license or permit issued in sections
891 124 to 125B, inclusive, upon the occurrence of any event which makes the licensee or permit
892 holder a prohibited person as defined in section 123. A licensing authority may revoke or
893 suspend any license or permit issued in sections 124 to 125B, inclusive, upon a subsequent
894 determination of unsuitability as defined in said section, or upon satisfactory proof that the
895 licensee has violated or permitted any other violation of any condition of the license or permit
896 under this chapter; provided, however, that a petition in the district court pursuant to procedures

897 of section 123 be filed for long gun permits. A licensing authority may revoke or suspend any
898 license issued under sections 125 or 125B only after due notice to the licensee and reasonable
899 opportunity to be heard.

900 (b) Any revocation or suspension of a license or permit shall be in writing and shall state
901 the reasons therefor. No appeal or post-judgment motion shall operate to stay such revocation or
902 suspension. Notices of revocation and suspension shall be forwarded to the commissioner of the
903 department of criminal justice information services and the commissioner of probation and shall
904 be included in the criminal justice information system. A revoked or suspended license or permit
905 may be reinstated only upon the termination of all disqualifying conditions. If a license to sell is
906 revoked, the licensee shall be disqualified to receive a license for one year after the expiration of
907 the term of the license so revoked.

908 (c) Any applicant aggrieved by a denial, revocation, or suspension of a license to sell
909 under section 125 may within 10 days thereafter apply to the colonel of the state police for such
910 license, who may direct that said licensing authority grant said license, if, after a hearing, he is
911 satisfied there were no reasonable grounds for the denial, suspension and revocation and that the
912 applicant is not barred by law from holding such a license.

913 (d) Any applicant aggrieved by a denial, revocation or suspension of a license or permit
914 issued under sections 124 to 125B, inclusive, by the licensing authority, unless a hearing has
915 previously been held pursuant to chapter 209A, may, within either 90 days after receiving notice
916 of the denial, revocation or suspension or within 90 days after the expiration of the time limit
917 during which the licensing authority shall respond to the applicant, file a petition to obtain

918 judicial review in the district court having jurisdiction in the city or town in which the applicant
919 filed the application or in which the license or permit was issued.

920 (e) The justice may order a license to sell or license to carry be issued or reinstated upon
921 a finding that there was no reasonable ground for denying, suspending or revoking the license
922 and that petitioner is not prohibited by law from possessing the license. The justice may order a
923 long gun permit be issued or reinstated upon a finding that the petitioner is not prohibited by law
924 from possessing the permit.

925 Section 123E: Surrender of firearms to licensing authority upon revocation, suspension or
926 denial; right to transfer; disposal; reporting

927 Upon revocation, suspension or denial of an application for any firearms license or permit
928 issued pursuant to sections 124 to 125B, inclusive, the person whose application was so revoked,
929 suspended or denied shall without delay deliver or surrender to the licensing authority where the
930 person resides all firearms, feeding devices, and ammunition which are registered to the person
931 and that the person then possesses. The person or the person's legal representative shall have the
932 right, at any time up to 1 year after the delivery or surrender, to transfer the firearms, feeding
933 devices, and ammunition to a licensed dealer or to a person legally permitted to purchase or take
934 possession of the firearms, feeding devices, and ammunition and, upon notification in writing by
935 the purchaser or transferee and the former owner, the licensing authority shall within 10 days
936 deliver the firearms, feeding devices, and ammunition to the transferee or purchaser and the
937 licensing authority shall observe due care in the receipt and holding of any such firearm, feeding
938 device or ammunition; provided, however, that the purchaser or transferee shall affirm in writing
939 that the purchaser or transferee shall not transfer the firearms, feeding devices or ammunition to

940 the former owner; provided further, however, that such transfer will not be permitted if the
941 firearm may be evidence in any pending criminal investigation. The licensing authority shall at
942 the time of delivery or surrender inform the person in writing of their right to request a transfer in
943 accordance with this paragraph.

944 The licensing authority, after taking possession of any firearm, feeding device, or
945 ammunition by any means, may transfer possession for storage purposes to a federally licensed
946 firearms dealer who operates a bonded warehouse on the licensed premises that is equipped with
947 a safe for the secure storage of firearms and a weapon box or similar container for the secure
948 storage of feeding devices, and ammunition; provided, however, that the licensing authority shall
949 not transfer to such dealer possession of any firearm, feeding device, or ammunition that may be
950 evidence in any pending criminal investigation. Any such dealer that takes possession of a
951 firearm, feeding device, or ammunition pursuant to this section shall: (i) inspect the firearm,
952 feeding device, or ammunition; (ii) issue to the owner a receipt indicating the make, model,
953 caliber, serial number and condition of each firearm, feeding device, or ammunition so received;
954 and (iii) store and maintain all firearms, feeding devices, and ammunitions so received in
955 accordance with such regulations, rules or guidelines as the secretary of the executive office of
956 public safety may establish under this section. The owner shall be liable to such dealer for
957 reasonable storage charges.

958 Firearms, feeding devices, and ammunition not disposed of after delivery or surrender
959 pursuant to this section shall be sold at public auction by the colonel of the state police to the
960 highest bidding person legally permitted to purchase and possess said firearms, feeding devices,
961 and ammunition and the proceeds shall be remitted to the General Fund.

962 Any such weapon that is stored and maintained by a licensed dealer as provided under
963 this section may be so auctioned at the direction of: (i) the licensing authority at the expiration of
964 1 year following initial surrender or delivery to such licensing authority; or (ii) the dealer then in
965 possession, if the storage charges for such firearm, feeding device, or ammunition have been in
966 arrears for 90 days; provided, however, that in either case, title shall pass to the licensed dealer
967 for the purpose of transferring ownership to the auctioneer; and provided further that in either
968 case, after deduction and payment for storage charges and all necessary costs associated with
969 such surrender and transfer, all surplus proceeds, if any, shall be immediately returned to the
970 owner of such firearm, feeding device, or ammunition; provided, however, that any firearm,
971 feeding device, or ammunition classified as having been used to carry out a criminal act pursuant
972 to section 122C and any firearm, feeding device, or ammunition prohibited by law from being
973 owned or possessed within the commonwealth shall not be sold at public auction pursuant to this
974 section and shall instead be destroyed by the colonel of the state police.

975 If the licensing authority cannot reasonably ascertain a lawful owner within 180 days of
976 acquisition by the authority, the authority may, in its discretion, trade or dispose of surplus,
977 donated, abandoned or junk firearms, feeding devices, or ammunition to properly licensed
978 distributors or firearms dealers. The proceeds of the sale or transfer shall be remitted or credited
979 to the municipality in which the authority presides to purchase weapons, equipment or supplies
980 or for violence reduction or suicide prevention; provided, however, that no firearm, feeding
981 device, or ammunition classified as having been used to carry out a criminal act pursuant to
982 section 122C shall be considered surplus, donated, abandoned or junk for the purposes of this
983 section.

984 The licensing authority shall report the delivery or surrender, or seizure pursuant to
985 sections 131 to 131G, inclusive, of firearms, feeding devices, and ammunition to the department
986 of criminal justice information services and notify the attorney general of any failure or refusal to
987 surrender pursuant to this section. The report shall include the following information: (i) date of
988 delivery, surrender or seizure; (ii) make, model, serial number and caliber of the firearm or
989 feeding device delivered, surrendered or seized and any identifying information for ammunition
990 delivered, surrendered or seized; (iii) grounds for surrender or seizure; (iv) whether the firearm,
991 feeding device, or ammunition is prohibited by law from being owned or possessed in the
992 commonwealth; (v) whether the firearm, feeding device, or ammunition was classified as having
993 been used to carry out a criminal act; and (vi) information on the possession, storage, transfer,
994 sale and any income derived therefrom, destruction, or other disposition of the firearm, feeding
995 device, or ammunition. Upon submission of this information, the portal shall automatically
996 report back to the licensing authority whether the firearm or feeding device is registered,
997 serialized, reported lost or stolen, or potential evidence in a pending criminal investigation. The
998 secretary of the executive office of public safety may make and promulgate such rules and
999 regulations as are necessary to carry out this section, including reporting requirements.

1000 SECTION 54. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1001 by striking out section 124 and inserting in place thereof the following sections: -

1002 Section 124. License to carry firearms; long gun permit; conditions; notifications

1003 (a)(1) A license to carry firearms shall entitle the holder thereof to transfer, possess and
1004 carry firearms including large capacity firearms, feeding devices and ammunition therefor. This

1005 license shall not entitle a holder thereof to transfer, possess or carry large capacity feeding
1006 devices or assault-style firearms unless exempted from section 128B.

1007 (2) Any lawful resident 21 years of age or older residing within the jurisdiction of the
1008 licensing authority, any law enforcement officer employed by the licensing authority or any
1009 person residing in an area of exclusive federal jurisdiction located within a city or town may
1010 submit to the licensing authority an application for a license to carry firearms, or renewal of the
1011 same, which the licensing authority shall issue if it appears that the applicant is neither a
1012 prohibited person nor determined to be unsuitable to transfer, possess or carry a firearm as
1013 specified in section 123; provided, however, that upon an initial application for this license, the
1014 licensing authority shall conduct a personal interview with the applicant.

1015 (b)(1) A long gun permit shall entitle the holder thereof to transfer, possess and carry
1016 common long guns, feeding devices and the ammunition therefor. A long gun permit shall not
1017 entitle a holder to transfer, possess or carry any other firearm including any large capacity
1018 firearm or semiautomatic rifle and shotgun except under the direct supervision of a holder of a
1019 license to carry firearms at an incorporated shooting club or licensed shooting range as permitted
1020 in this chapter.

1021 (2) Any lawful resident 18 years of age or older residing within the jurisdiction of the
1022 licensing authority or residing in an area of exclusive federal jurisdiction located within a city or
1023 town may submit to the licensing authority an application for a long gun permit, or renewal of
1024 the same, which the licensing authority shall issue if it appears that the applicant is not a
1025 prohibited person and no judicial stay is requested as outlined in section 123. A person more than
1026 15 but less than 18 years of age may submit an application for a long gun permit and be issued

1027 the same only if said applicant meets the requirements of this paragraph and submits with the
1028 application a certificate of a parent or guardian granting the applicant permission to apply for the
1029 permit. A person more than 14 years of age may submit an application for a long gun permit but
1030 the applicant shall not be issued the permit until the applicant reaches 15 years of age.

1031 (c) No person shall be issued a license to carry or possess machine gun in the
1032 commonwealth or be otherwise legally entitled to transfer, possess or carry a machine gun,
1033 feeding device or ammunition therefor, except that a licensing authority or the colonel of the
1034 state police may issue a machine gun license to: (i) a firearm instructor certified by the municipal
1035 police training committee for the sole purpose of firearm instruction to police personnel; or (ii) a
1036 bona fide collector of firearms as defined in section 121 upon application or upon application for
1037 renewal of such license.

1038 (d) No license or permit shall issue under this section unless the applicant submits with
1039 their application a certificate required in section 126.

1040 (e) A person issued a license or permit under this section shall notify, via the electronic
1041 firearm registration portal administered by the commissioner of the department of criminal
1042 justice information services, of any change of address. Such notification shall be made on the
1043 portal within 30 days of its occurrence. Failure to notify in a timely manner shall be cause for
1044 revocation or suspension of said license or permit.

1045 (f) Both a license to carry firearms and a long gun permit shall be valid, unless revoked or
1046 suspended, for a period of not more than 6 years and shall expire on the anniversary of the
1047 licensee's or permit-holder's date of birth occurring not less than 5 years nor more than 6. Any
1048 license or permit issued to an applicant born on February 29 shall expire on March 1.

1049 (g) Any person issued a license or permit under this section, who, while not being within
1050 the limits of their own property or residence, or such person whose property or residence is under
1051 lawful search, shall on demand of a police officer or other law enforcement officer, exhibit their
1052 license or permit or receipt for fee paid for the same. Failure to do so may result in the surrender
1053 of said person's firearms, feeding devices and ammunition, which shall be taken into custody
1054 pursuant to section 123E, except that such firearms, feeding devices and ammunition shall be
1055 returned forthwith upon presentation within thirty days of said license, permit or receipt. Any
1056 person with a license to carry or long gun permit may, even though no firearm was surrendered,
1057 be required to produce within thirty days said license or permit, failing which the conditions of
1058 section 123E will apply.

1059 Section 124A. Stun guns; regulations relating to use, access and training

1060 Sections 126, 128A and 129 shall not apply to stun guns as defined in section 121. The
1061 secretary of public safety and security shall promulgate regulations restricting access or use of
1062 stun guns by non-licensed persons and establishing minimum safety and quality standards, safe
1063 storage requirements, education and safety training requirements and law enforcement training
1064 on the appropriate use of stun guns, which shall require that any stun gun purchased or used by a
1065 law enforcement or public safety official include a mechanism for tracking the number of times
1066 the stun gun has been fired.

1067 Section 124B. Temporary license to carry; permit to purchase firearms; punishment

1068 (a) A temporary license to carry firearms, feeding devices or ammunition therefor within
1069 the commonwealth shall be issued by the colonel of the state police in accordance with the

1070 qualification requirements and procedures for a license to carry firearms issued under section
1071 124, to:

1072 (i) a resident of the commonwealth for purposes of sports competition;

1073 (ii) a nonresident for purposes of a firearm competition;

1074 (iii) a nonresident who is in the employ of a bank, public utility corporation, or a firm
1075 engaged in the business of transferring monies, or business of a similar nature, or a firm licensed
1076 as a private detective under chapter 147, and whose application is endorsed by an employer; or

1077 (iv) a nonresident who is a member of the armed services and is stationed within the
1078 territorial boundaries of the commonwealth and has the written consent of his commanding
1079 officer.

1080 (b) A temporary license to possess a machine gun within the commonwealth, may be
1081 issued by the colonel of the state police in accordance with the qualification requirements and
1082 procedures for a license to carry a machine gun issued under section 124 to a nonresident
1083 employee of a federally licensed manufacturer of machine guns for the purpose of transporting or
1084 testing relative to the manufacture of machine guns, and whose application is endorsed by their
1085 employer.

1086 (c) A temporary license issued under subsections (i) and (ii) of paragraph (a) shall be
1087 valid for a period of 1 year and may be renewed, if necessary, by the colonel. A temporary
1088 license issued under subsections (iii) and (iv) of paragraph (a) and paragraph (b) may be issued
1089 for any term not to exceed 2 years and shall expire in accordance with section 123B.

1090 (d) The colonel may permit a licensee under this section to possess a large capacity
1091 firearm, and large capacity feeding device; provided, however, that this entitlement shall be
1092 clearly indicated on the license and conform with the requirements of section 128B.

1093 (e) A temporary license issued pursuant to this section shall clearly be marked as such
1094 and may not be used to purchase or otherwise transfer firearms, feeding devices or ammunition
1095 in the commonwealth.

1096 (f) A person over the age of 18, including persons in possession of a temporary license
1097 issued under this section, may apply to the colonel of the state police for a permit to purchase,
1098 rent or lease a firearm, feeding device or ammunition which may be granted if the person is
1099 qualified to be granted a license to carry under section 123 and it appears that such purchase,
1100 rental or lease is for a proper purpose. A permit to purchase shall be valid for not more than 10
1101 days after issue and may be revoked at will. The colonel may impose such restrictions they deem
1102 proper relative to the caliber and capacity of the firearm, feeding device and ammunition to be
1103 purchased, rented or leased.

1104 (g) Whoever knowingly issues a temporary license or permit in violation of this section
1105 shall be punished by a fine of not less than \$500 nor more than \$1,000 and by imprisonment for
1106 not less than 6 months nor more than 2 years in the house of correction.

1107 Section 124C. Self-defense spray permit; possession by minors; punishment

1108 (a) No person under 18 years of age may purchase or possess self-defense spray as
1109 defined in section 121 without a self-defense spray permit issued by a local licensing authority.
1110 This permit shall be valid to purchase and possess self-defense spray, including all chemical

1111 mace, pepper spray or other similarly propelled liquid, gas or powder designed to temporarily
1112 incapacitate.

1113 (b) A local licensing authority may issue a person at least 15 years of age but less than 18
1114 years a self-defense spray permit if the person is not a prohibited person under section 123. A
1115 self-defense spray permit is issued for the sole purpose of purchasing and possessing self-defense
1116 spray and shall clearly state that it is valid for such limited purpose only. This card may be issued
1117 to a person under the age of 15 if the applicant submits with their application a certificate from
1118 the applicant's parent or guardian granting permission to apply for this permit.

1119 (c) Whoever, not being licensed as provided in section 125, sells self-defense spray shall
1120 be punished by a fine of not more than \$1,000 or by imprisonment in a house of correction for
1121 not more than 2 years. Whoever licensed or unlicensed under section 125 sells self-defense spray
1122 to a person younger than 18 years of age, if the person younger than 18 years of age does not
1123 have a self-defense spray permit, shall be punished by a fine of not more than \$300.

1124 (d) A person under 18 years of age who purchases or possesses self-defense spray and
1125 who does not have a self-defense spray permit shall be punished by a fine of not more than \$300.

1126 (e) A self-defense spray permit shall be valid for a period of three years and shall expire
1127 on the anniversary of the permit holder's date of birth occurring not less than three years nor
1128 more than four years from the date of issue. Any permit issued to an applicant born on February
1129 29 shall expire on March 1.

1130 SECTION 55. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1131 by striking out section 125 and inserting in place thereof the following sections: -

1132 Section 125. License to sell firearms; conditions; business premises; term

1133 (a) A local licensing authority may grant a license to sell, rent, lease, purchase or
1134 otherwise transfer firearms, feeding devices and ammunition therefor, or to be in business as a
1135 gunsmith, to any person 18 years of age or older who is neither a prohibited person nor deemed
1136 unsuitable to be issued said license as set forth in section 123 and who completes the online
1137 dealer training classes mandated under section 126A.

1138 (b) Licensees shall maintain a business premise that is not a residence or dwelling
1139 wherein all transactions shall be conducted and wherein all records shall be kept. A license to
1140 sell does not entitle the holder thereof to possess or carry any firearm, feeding device or
1141 ammunition outside of the licensed business premises. A license to sell shall not protect a
1142 licensee who carries at any place outside their licensed place of business; provided, however, the
1143 licensee may request a transfer of a license to sell from one location to another within the city or
1144 town of the local licensing authority's jurisdiction and such request shall be granted at the
1145 discretion of the licensing authority, upon the same terms and conditions upon which the license
1146 was originally granted. A license to sell may not be transferred to any other person or entity.

1147 (c) Licensees must display their license to sell or a copy thereof, certified by the licensing
1148 authority, in a position where it can be easily read; provided also that no firearm shall be
1149 displayed in any outer window of the business premises or in any other place where it can be
1150 readily seen from the outside.

1151 (d) Licensee must conspicuously post and distribute at each purchase counter a notice
1152 providing information on: (i) safe transportation and storage of firearms developed and provided
1153 by the department of criminal justice information services who shall develop and maintain on its

1154 website for download a sign providing such information; and (ii) suicide prevention developed
1155 and provided by the division on violence and injury prevention within the department of public
1156 health who shall develop and make available on its website for download a sign providing the
1157 information on suicide prevention.

1158 (e) A license to sell firearms shall expire 3 years from the date of issuance.

1159 Section 125A. License to sell firearms; records; sales and deliveries; punishment;
1160 inspections

1161 (a) Prior to any transfer, a person with a license to sell, in this section referred to as
1162 licensee, as issued under section 125, shall verify the status of any license, permit or exemption
1163 documentation including a verification that the person presenting the license, permit or
1164 documentation is the lawful holder thereof. No transfer of any firearm, feeding device or
1165 ammunition shall be made to any person not in possession of the required license, permit or
1166 exemption documentation at the time of the transaction.

1167 (b) Upon being presented with an expired, suspended or revoked license or permit said
1168 licensee shall:

1169 (i) notify the department of criminal justice information services as prescribed below;

1170 (ii) take possession of such card or license and immediately forward the same to the local
1171 licensing authority;

1172 (iii) issue the license or permit holder a receipt, in a form provided by the commissioner
1173 of the department of criminal justice information services, which shall state that the holder's
1174 license or permit is expired, suspended or revoked, was taken by the licensee, and forwarded to

1175 the licensing authority, and which shall be valid for 90 days for the purpose of providing
1176 immunity from prosecution under section 10 of chapter 269; and

1177 (iv) notify the license or permit holder of their duty to surrender their firearms forthwith
1178 to their local licensing authority under section 123E.

1179 The licensee shall be immune from civil and criminal liability for good faith compliance
1180 with the provisions herein.

1181 (c) The licensee shall make and keep a sales record book furnished by the commissioner
1182 of the department of criminal justice services and said book shall be open at all times to the
1183 inspection of the police. Before transfer or delivery of any sold, rented, leased or otherwise
1184 transferred firearm or feeding device or ammunition, a legible entry in a sales record book must
1185 be made and kept specifying:

1186 (i) the complete description of the firearm, feeding device and ammunition, including the
1187 make, serial number, type of firearm and designation as a large capacity firearm, if applicable;

1188 (ii) whether the firearm, feeding device or ammunition has been sold, rented or leased
1189 and the date of such transaction;

1190 (iii) the license or permit identification number of the person acquiring the firearm,
1191 feeding device or ammunition along with their sex, residence address and occupation; and

1192 (iv) the purchaser, renter or lessee's name as personally written by said person in the
1193 sales record book and as confirmed by valid state or federal identification.

1194 (d) A licensee must immediately report to the department of criminal justice information
1195 services using its online portal all firearm transfers and transactions required, including but not
1196 limited to, all information recorded in subsection (c) and in accordance with subsection (b).

1197 (e) A licensee may sell or transfer firearms, feeding devices and ammunition at any
1198 regular meeting of an incorporated collectors club or at a gun show open to the general public;
1199 provided, however, that all other provisions of this section are complied with and that such sale
1200 or transfer is in conformity with both federal and Massachusetts law and regulations.

1201 (f) No licensee shall fill an order for any firearm, feeding device, or ammunition received
1202 by mail, facsimile, telephone or other telecommunication unless such transaction includes the in-
1203 person presentation of the required license, permit or documentation as required herein prior to
1204 any sale, delivery or any form of transfer or possession.

1205 (g) Licensee shall ensure that all firearms, feeding devices and ammunition shall be
1206 unloaded when delivered and that delivery is only made to a person properly licensed, permitted
1207 or exempted to possess the delivery.

1208 (h) Any licensee, and any employee or agent of such a licensee who violates this section
1209 shall be punished by a fine of not less than \$1,000 nor more than \$10,000, or by imprisonment
1210 for not less than 1 year nor more than 10 years, or by both such fine and imprisonment.

1211 (i) The department of state police shall enter, up to 1 time per calendar year, during
1212 regular business hours, the business premises of any licensee, and make inquiries and inspect the
1213 licensee's records, inventory, policies and procedures for the purpose of enforcing the provisions
1214 of the General Laws. Licensees found to be in violation of this chapter shall be subject to the
1215 suspension or revocation of their license to sell. The department of the state police shall

1216 promulgate rules and regulations on this subsection. Nothing herein shall prohibit the
1217 enforcement from conducting such inspections pursuant to a valid search warrant issued by a
1218 court of competent jurisdiction.

1219 Section 125B. Club licenses; sale of ammunition; large capacity firearms; reporting

1220 (a) A lawfully incorporated sporting or shooting club shall, upon application, be licensed
1221 to sell or supply ammunition for regulated shooting on their premises, as for skeet, target or trap
1222 shooting; provided, however, that such club license shall, on behalf of said club, be issued to and
1223 exercised by an officer or duly authorized member of the club who themselves possess a license
1224 to carry firearms and who would not be disqualified to receive a license to sell in their own right.
1225 This license is subject to the same terms, conditions and qualifications of a license to sell as
1226 issued under section 125.

1227 (b) The colonel of the state police may, after an investigation, grant a license to carry to a
1228 club or facility with an on-site shooting range or gallery, which club is incorporated under the
1229 laws of the commonwealth a club license for the possession, storage and use of large capacity
1230 firearms, feeding devices and ammunition therefor for use on the premises of the club; provided,
1231 however that not less than 1 shareholder of the club shall be qualified and suitable to be issued a
1232 license; and provided further, that such large capacity firearms and feeding devices may be used
1233 under the club license only by a member that possesses a valid license to carry firearms issued
1234 pursuant to section 124, or by such other person that the club permits while under the direct
1235 supervision of a certified firearms safety instructor or club member who possesses a valid license
1236 to carry firearms.

1237 (c) The club shall:

1238 (i) not permit shooting at targets that depict human figures, human effigies, human
1239 silhouettes or any human images thereof, except by public safety personnel performing in line
1240 with their official duties;

1241 (ii) not allow the removal of any large capacity firearm or feeding device from the
1242 premises except as permitted by law in order to: (A) transfer to a licensed dealer; (B) transport to
1243 a licensed gunsmith for repair; (C) transport to target, trap or skeet shoot on the premises of
1244 another club incorporated under the laws of the commonwealth; (D) transport to attend an
1245 exhibition or educational project or event that is sponsored by, conducted under the supervision
1246 of or approved by a public law enforcement agency or a national or state recognized entity that
1247 promotes proficiency in or education about semiautomatic weapons; (E) hunt pursuant to chapter
1248 131; or (F) surrender the firearm or feeding device pursuant to section 121C;

1249 (iii) secure in a locked container and unload during any lawful transport all large capacity
1250 firearms or feeding devices kept on the premises when not in use;

1251 (iv) annually file a report with the colonel of the state police and the commissioner of the
1252 department of criminal justice information services listing all large capacity firearms and large
1253 capacity feeding devices owned or possessed under the license; and

1254 (v) permit the colonel or a designee to inspect all firearms owned or possessed by the
1255 club upon request during regular business hours.

1256 Section 125C. License to sell firearms; transfers restricted to firearm wholesalers;
1257 punishment

1258 (a) No licensee may sell, rent, lease or otherwise transfer any firearm described in this
1259 section except to a business entity that is primarily a firearm wholesaler, and such transfer must,
1260 by its terms, prohibit the purchaser from reselling such firearm to a firearm retailer or consumer
1261 in the commonwealth.

1262 (b) The firearm has a frame, barrel, cylinder, slide or breechblock that is composed of (A)
1263 any metal having a melting point of less than 900 degrees Fahrenheit; (B) any metal having an
1264 ultimate tensile strength of less than 55,000 pounds per square inch; or (C) any powdered metal
1265 having a density of less than 7.5 grams per cubic centimeter. This clause shall not apply to any
1266 make and model of a firearm for which a sample of 3 firearms in new condition all pass the
1267 following test: each of the 3 samples shall fire 600 rounds, stopping every 100 rounds to tighten
1268 any loose screws and to clean the gun if required by the cleaning schedule in the user manual,
1269 and as needed to refill the empty magazine or cylinder to capacity before continuing. For any
1270 firearm that is loaded in a manner other than via a detachable magazine, the tester shall also
1271 pause every 50 rounds for ten minutes. The ammunition used shall be the type recommended by
1272 the firearm manufacturer in its user manual or, if none is recommended, any standard of
1273 ammunition of the correct caliber in new condition. A firearm shall pass this test if it fires the
1274 first 20 rounds without a malfunction, fires the full 600 rounds with not more than 6
1275 malfunctions and completes the test without any crack or breakage of an operating part of the
1276 firearm that does not increase the danger of injury to the user. For purposes of this clause
1277 “malfunction” shall mean any failure to feed, chamber, fire, extract or eject a round or any
1278 failure to accept or eject a magazine or any other failure which prevents the firearm, without
1279 manual intervention beyond that needed for routine firing and periodic reloading, from firing the
1280 chambered round or moving a new round into position so that the firearm is capable of firing the

1281 new round properly. This shall not include a misfire caused by a faulty cartridge the primer of
1282 which fails to detonate when properly struck by the firearm's firing mechanism.

1283 (c) The firearm is prone to accidental discharge which, for purposes of this clause, shall
1284 mean any make and model of firearm for which a sample of 5 firearms in new condition all
1285 undergo, and none discharge during, the following test: each of the 5 sample firearms shall be: (i)
1286 test loaded; (ii) set so that the firearm is in a condition such that pulling the trigger and taking
1287 any action that must simultaneously accompany the pulling of the trigger as part of the firing
1288 procedure would fire the firearm; and (iii) dropped onto a solid slab of concrete from a height of
1289 one meter from each of the following positions: (A) normal firing position; (B) upside down; (C)
1290 on grip; (D) on the muzzle; (E) on either side; and (F) on the exposed hammer or striker or, if
1291 there is no exposed hammer or striker, the rearmost part of the firearm. If the firearm is designed
1292 so that its hammer or striker may be set in other positions, each sample firearm shall be tested as
1293 above with the hammer or striker in each such position but otherwise in such condition that
1294 pulling the trigger, and taking any action that must simultaneously accompany the pulling of the
1295 trigger as part of the firing procedure, would fire the firearm. Alternatively, the tester may use
1296 additional sample firearms of the same make and model, in a similar condition, for the test of
1297 each of these hammer striker settings.

1298 (d) The firearm is prone to (i) firing more than once per pull of trigger; or (ii) explosion
1299 during firing.

1300 (e) The firearm has a barrel less than 3 inches in length, unless the licensee discloses in
1301 writing, prior to the transaction, to the prospective buyer, lessee or transferee the limitations of
1302 the accuracy of the particular make and model of the subject firearm, by disclosing the make and

1303 model's average group diameter test result at 7 yards, average group diameter test result at 14
1304 yards and average group diameter test result at 21 yards. For purpose of this clause, "average
1305 group diameter test result" shall mean the arithmetic mean of three separate trials, each
1306 performed as follows on a different sample firearm in new condition of the make and model at
1307 issue. Each firearm shall fire 5 rounds at a target from a set distance and the largest spread in
1308 inches between the centers of any of the holes made in the test target shall be measured and
1309 recorded. This procedure shall be repeated 2 more times on the firearm. The arithmetic mean of
1310 each of the 3 recorded results shall be deemed the result of the trial for that particular sample
1311 firearm. The ammunition used shall be the type recommended by the firearm manufacturer in its
1312 user manual, if none is recommended, any standard ammunition of the correct caliber in new
1313 condition.

1314 (f) This section shall not apply to (i) a firearm lawfully owned or possessed under a
1315 license issued under this chapter on or before October 21, 1998; (ii) a stun gun as defined in
1316 section 121; or (iii) a firearm designated by the secretary of public safety, with the advice of the
1317 firearm control advisory board, established pursuant to section 128, as a firearm solely designed
1318 and sold for formal target shooting competition or for Olympic shooting competition and listed
1319 on the rosters therefor.

1320 (g) Any licensee and any employee or agent of such a licensee who violates this section
1321 shall be punished by a fine of not less than \$1,000 nor more than \$10,000, or by imprisonment
1322 for not less than one year nor more than 10 years, or by both such fine and imprisonment.

1323 SECTION 56. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1324 by striking out section 126 and inserting in place thereof the following sections: -

1325 Section 126. Basic firearms safety certificate; instructors; punishment; public service
1326 announcements

1327 (a) Any person making application for the issuance of a firearms license or permit under
1328 sections 124 or 124B shall, in addition to the requirements set forth in this chapter submit to the
1329 licensing authority a basic firearms safety certificate; provided, however, that a certificate issued
1330 under section 14 of chapter 131 evidencing satisfactory completion of a hunter education course
1331 shall serve as a valid substitute for a basic firearms safety certificate required under this section
1332 for the issuance of a long gun permit. Persons lawfully possessing a firearm identification card or
1333 license to carry firearms on June 1, 1998, shall be exempt from the provisions of this section
1334 upon expiration of such card or license and when applying for licensure as required under this
1335 chapter. No application for the issuance of a long gun permit or license to carry shall be accepted
1336 or processed by the licensing authority without such certificate attached thereto; provided,
1337 however, that the provisions of this section shall not apply to (i) any officer, agent or employee
1338 of the commonwealth or any state of the United States; (ii) any member of the military or other
1339 service of any state or of the United States; (iii) any duly authorized law enforcement officer,
1340 agent or employee of any municipality of the commonwealth; provided, however, that any such
1341 person described in clauses (i) to (iii), inclusive, is authorized by a competent authority to carry
1342 or possess the weapon so carried or possessed and is acting within the scope of his duties.

1343 (b) The colonel of state police, in consultation with the municipal police training
1344 committee, shall promulgate rules and regulations governing the issuance and form of basic
1345 firearms safety certificates required by this section, including minimum requirements for course
1346 curriculum and the contents of any written examination. Said colonel shall certify certain persons
1347 as firearms safety instructors, certify safety course curriculum and annually update and post on

1348 its website a list of approved instructors. Certification as a firearm safety instructor shall be valid
1349 for a period of 10 years, unless sooner revoked by reason of unsuitability, in the discretion of
1350 said colonel. The department of state police may impose a fee of \$50 for initial issuance of such
1351 certification to offset the cost of certifying instructors. The fee for certification renewal shall be
1352 \$10. Firearms safety instructors shall be any person certified by a nationally recognized
1353 organization that fosters safety in firearms, or any other person in the discretion of said colonel,
1354 to be competent to give instruction in a basic firearms safety course. Applicants for certification
1355 as instructors under this section shall not be exempt from the requirements of this chapter or any
1356 other law or regulation of the commonwealth or the United States. Upon application to the
1357 colonel of state police, said colonel may, in his discretion, certify as a firearms safety instructor
1358 any person who operates a firearms safety course or program which provides in its curriculum:
1359 (a) the safe use, handling and storage of firearms; (b) methods for securing and childproofing
1360 firearms; (c) the applicable laws relating to the possession, transportation and storage of
1361 firearms; (d) knowledge of operation, potential dangers and basic competency in the ownership
1362 and use of firearms; (e) injury prevention and harm reduction education; (f) active shooter and
1363 emergency response training; (g) applicable laws relating to the use of force; (h) de-escalation
1364 and disengagement tactics; and (i) live firearms training.

1365 (c) Any firearms safety instructor certified under this section may, in his discretion, issue
1366 a basic firearms safety certificate to any person who successfully completes the requirements of a
1367 basic firearms safety course approved by the colonel. No firearms safety instructor shall issue or
1368 cause to be issued any basic firearms safety certificate to any person who fails to meet minimum
1369 requirements of the prescribed course of study including, but not limited to, demonstrated
1370 competency in the use of firearms through class participation, written examination and live

1371 firearms training. Instructors certified under this section shall forward to the department of
1372 criminal justice information services copies of basic firearms safety course certificates issued,
1373 which shall include a certification of each person's satisfactory completion of the basic firearms
1374 safety course and competency in the ownership and use of firearms. Upon receipt the department
1375 of criminal justice information services shall forward a copy of such certificate to the participant.
1376 Local licensing authorities shall require a copy of such certificate to be provided concurrently
1377 with an application for a firearms license or permit and may make inquiry to the department of
1378 criminal justice information services to confirm the issuance to the applicant of a basic firearms
1379 safety certificate.

1380 (d) Any person applying for licensure pursuant to this chapter who knowingly files or
1381 submits a basic firearms safety certificate to a licensing authority which contains false
1382 information shall be punished by a fine of not less than \$1,000 nor more than \$5,000 or by
1383 imprisonment for not more than 2 years in a house of correction, or by both such fine and
1384 imprisonment.

1385 (e) Any firearms safety instructor who knowingly issues a basic firearms safety certificate
1386 to a person who has not successfully completed a firearms safety course approved by the colonel
1387 shall be punished by a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment for
1388 not more than 2 years in a house of correction, or by both such fine and imprisonment.

1389 (f) The colonel of state police shall produce and distribute public service announcements
1390 to encourage and educate the general public about: (i) safe storage and transportation of weapons
1391 pursuant to sections 126B and 126C; and (ii) importance of firearms safety education and

1392 training, including information on places and classes that a person may attend to obtain firearms
1393 safety education and training.

1394 Section 126A. Training; local licensing authorities and firearms dealers

1395 (a) Licensing authorities shall participate in training seminars as prescribed by the
1396 executive office of public safety and security which are not limited to but may provide
1397 instruction on (i) current laws, regulations and rules relating to this chapter; (ii) licensing
1398 responsibilities; (iii) record keeping obligations; (iv) firearm surrender, registration and tracing;
1399 and (v) electronic database use. Regulations prescribed by the executive office of public safety
1400 and security shall include penalties for non-compliance which may include review by the
1401 Massachusetts Peace Officers Standards and Training (POST) Commission.

1402 (b) Any person making an application for the issuance of a license to sell or renewal
1403 therefor under section 125 shall, in addition to the requirements set forth in this chapter,
1404 complete an online dealer training program promulgated and offered by the executive office of
1405 public safety and security. No application for the issuance of a license to sell shall be accepted or
1406 processed by the licensing authority without a certification of program completion.

1407 (c) The curriculum for the online dealer training program shall include information on
1408 requirements and conditions expressed sections 122 to 130, inclusive, and other relevant General
1409 Laws and shall further include (i) uniform standards of security for business premises; and (ii)
1410 employee background check and training requirements.

1411 (d) The executive office of public safety and security shall promulgate rules and
1412 regulations governing local licensing authority training and the dealer training program.

1413 Section 126B. Firearm transport; vehicles; exceptions; punishment

1414 (a) No person shall possess a loaded firearm under a license or permit issued under
1415 sections 124 to 125B, inclusive, or through an exemption under sections 127 or 127A, in a
1416 vehicle unless the firearm is under the direct control of the person. Whoever violates this
1417 subsection shall be punished by a fine of \$500.

1418 (b) No person shall possess a large capacity firearm or machine gun under a license or
1419 permit issued under sections 124 to 125B, inclusive, or through an exemption under sections 127
1420 or 127A, in a vehicle unless it is unloaded and secured in a locked container. Whoever violates
1421 this subsection shall be punished by a fine of not less than \$500 nor more than \$5,000.

1422 (c) This section shall not apply to: (i) an officer, agent or employee of the
1423 commonwealth, any state or the United States; (ii) a member of the military or other service of
1424 any state or of the United States; (iii) a duly authorized law enforcement officer, agent or
1425 employee of a municipality of the commonwealth; provided, however, that a person described in
1426 clauses (i) to (iii), inclusive, is authorized by a competent authority to carry or possess the
1427 weapon so carried or possessed and is acting within the scope of the person's official duties.

1428 (d) A conviction of a violation of this section shall be reported immediately by the court
1429 or magistrate to the licensing authority. The licensing authority shall immediately revoke the
1430 license or permit of the person convicted of a violation of this section. No new license or permit
1431 may be issued to a person convicted of a violation of this section until 1 year after the date of
1432 revocation of the license or permit.

1433 Section 126C. Secure firearm storage; punishment

1434 (a) It shall be unlawful to store or keep any firearm in any place unless such firearm is
1435 secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety
1436 device, properly engaged so as to render the firearm inoperable by any person other than the
1437 owner or other lawfully authorized user. For purposes of this section, such firearm shall not be
1438 deemed stored or kept if carried by or under the direct control of the owner or other lawfully
1439 authorized user.

1440 (b) A violation of this section shall be punished, in the case of any firearm that is not
1441 large capacity or a machine gun, by a fine of not less than \$1,000 nor more than \$7,500 or by
1442 imprisonment for not more than 1 ½ years or by both such fine and imprisonment and, in the
1443 case of a large capacity firearm or machine gun, by a fine of not less than \$2,000 nor more than
1444 \$15,000 or by imprisonment for not less than 1 ½ years nor more than 12 years or by both such
1445 fine and imprisonment.

1446 (c) A violation of this section shall be punished, in the case of a common long gun that
1447 was stored or kept in a place where a person younger than 18 years of age who does not possess
1448 a valid long gun permit issued under section 124 may have access without committing an
1449 unforeseeable trespass, by a fine of not less than \$2,500 nor more than \$15,000 or by
1450 imprisonment for not less than 1 ½ years nor more than 12 years or by both such fine and
1451 imprisonment.

1452 (d) A violation of this section shall be punished, in the case of a rifle or shotgun that is a
1453 large capacity firearm or a semiautomatic firearm, or any other firearm that was stored or kept in
1454 a place where a person younger than 18 years of age may have access without committing an
1455 unforeseeable trespass, by a fine of not less than \$10,000 nor more than \$20,000 or by

1456 imprisonment for not less than 4 years nor more than 15 years or by both such fine and
1457 imprisonment.

1458 (e) A violation of this section shall be evidence of wanton or reckless conduct in any
1459 criminal or civil proceeding if a person under the age of 18 who was not a trespasser or was a
1460 foreseeable trespasser acquired access to a firearm, unless such person possessed a valid long
1461 gun permit issued under section 124 and was permitted by law to possess such firearm, and such
1462 access results in the personal injury to or the death of any person.

1463 SECTION 57. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1464 by striking out section 127 and inserting in place thereof the following sections: -

1465 Section 127. Firearms licensing; exempted persons and organizations

1466 (a) Possession of a firearm, feeding device, or ammunition for a particular purpose and
1467 limited time without being duly licensed or permitted under sections 124 to 125B, inclusive, is
1468 permitted by:

1469 (i) a person voluntarily surrendering the firearm or ammunition to a licensing authority
1470 pursuant to section 123E or the colonel of the state police pursuant to section 121C;

1471 (ii) a resident of the commonwealth returning after having been absent from the
1472 commonwealth for not less than 180 consecutive days or any new resident moving to the
1473 commonwealth, only with respect to any firearm, feeding device, or ammunition then in their
1474 possession prior to moving or return, for 60 days after such return or entry into the
1475 commonwealth; or

1476 (iii) an heir or legatee upon the death of the firearm, feeding device or ammunition owner
1477 for not more than 180 days after said firearm, feeding device or ammunition is transferred into
1478 their possession and who shall also be permitted to sell or otherwise transfer said firearm,
1479 feeding device or ammunition to a duly licensed person within this time period pursuant to
1480 section 127B.

1481 (b) Possession of a firearm, feeding device, or ammunition only while under direct
1482 supervision and only for a particular purpose and limited time without being duly licensed or
1483 permitted under sections 124 to 125B, inclusive, is permitted by:

1484 (i) a retail customer for the purpose of firing at duly licensed target concessions at
1485 amusement parks, piers and similar locations, provided the firearms to be so used are firmly
1486 chained or affixed to the counter and they are under the direct supervision of a duly licensed or
1487 permitted proprietor or employee thereof;

1488 (ii) a professional photographer or writer for examination purposes while in the pursuit of
1489 their profession and only during the course of any television, movie, stage or other similar
1490 theatrical production under the immediate supervision of a holder of a license to carry or, in the
1491 case of common long guns only, a long gun permit;

1492 (iii) a person within the course of any television, movie, stage or similar theatrical
1493 production while under the immediate supervision of a person licensed to carry firearms and only
1494 in regard to the possession of a firearm and blank ammunition; or

1495 (iv) a person in the presence of a holder of a license to carry for firearms or long gun
1496 permit for common long guns for the purpose of examination, trial or instruction.

1497 (c) Common carriers, their duly authorized employees and agents, may possess non large
1498 capacity firearms, feeding devices, and ammunition therefor while performing the regular and
1499 ordinary transport of firearms as merchandise for customers duly licensed to permit such
1500 transport so long as they abide by all storage and transportation requirements set forth in section
1501 126B.

1502 (d) Banks or institutional lenders, their duly authorized employees and agents, may
1503 possess and transfer non large capacity firearms, feeding devices and ammunition therefor as
1504 collateral for a secured commercial transaction or as a result of a default thereof.

1505 (e) Organizations, their duly authorized employees and agents, may purchase, transfer
1506 and possess non large capacity firearms, feeding devices and ammunition therefor for a particular
1507 purpose and limited time without being duly licensed or permitted under this chapter if they are
1508 a:

1509 (i) federally licensed firearms manufacturer or wholesale dealer or their employees or
1510 agents may possess firearms, feeding devices and ammunition therefor when their possession is
1511 necessary for manufacture, display, storage, transport, installation, inspection, or testing; or

1512 (ii) federal, state and local historical societies, museums, and institutional collections
1513 open to the public may possess firearms, feeding devices and ammunition therefor, provided
1514 such firearms are unloaded and properly housed and secured from unauthorized handling and
1515 further provided that the requirements for sales in section 127B are met.

1516 (f) A veteran's organization chartered by the congress of the United States, chartered by
1517 the commonwealth or recognized as a nonprofit tax-exempt organization by the internal revenue
1518 service and its members may possess firearms, feeding devices and ammunition therefore;

1519 provided, however, that only unloaded large capacity rifles or shotguns or unloaded feeding
1520 devices or the same when loaded with blank cartridges which contain no projectile within the
1521 blank or the bore or chamber may be possessed and provided that all possession by members is
1522 limited to when on official parade duty or ceremonial occasions.

1523 (g) A person in the military or other service of any state or of the United States, and
1524 police officers and other peace officers of any jurisdiction, may purchase, sell, otherwise transfer
1525 and possess not large capacity firearms, feeding devices, and ammunition therefor without being
1526 duly licensed or permitted under this chapter while in the performance of their official duty or
1527 when duly authorized to possess them; provided, however, that the requirements for sales in
1528 section 127B are met. Upon purchase, this person shall submit to the seller such full and clear
1529 proof of identification, including shield number, serial number, military or governmental order or
1530 authorization, military or other official identification, as applicable.

1531 (h) A person may furnish a minor under the age of 18 with a firearm for hunting,
1532 instruction and participation in shooting sports and a minor under the age of 15 with a rifle or
1533 shotgun for hunting or target shooting, provided that the minor is under the immediate
1534 supervision of a person holding a license to carry or long gun permit, or a duly commissioned
1535 officer, noncommissioned officer or enlisted member of the united states army, navy, marine
1536 corps, air force or coast guard, or the national guard or military service of the commonwealth or
1537 reserve components thereof, while in performance of their duty.

1538 (i) nothing in this section shall supersede the firearm reporting, registration and
1539 serialization requirements outlined in this chapter.

1540 Section 127A. Firearms licensing; nonresident exemptions

1541 (a) A nonresident who is at least 18 years of age may possess common long guns and
1542 ammunition therefor for all lawful purposes if the nonresident has a permit or license to carry
1543 firearms issued from their state of residence which has substantially similar requirements to
1544 those of the commonwealth for a long gun permit.

1545 (b) A nonresident who is at least 18 years of age may also possess common long guns
1546 and ammunition therefor: (i) to hunt during hunting season with a hunting license or permit
1547 lawfully issued from their state of residence which has substantially similar requirements to
1548 those in section 11 of chapter 131; (ii) while on a firing or shooting range; (iii) while traveling in
1549 or through the commonwealth, provided that they are unloaded and enclosed in a case in
1550 accordance with section 126B; or (iv) while at a firearm showing or display organized by a
1551 regularly existing gun collectors' club or association.

1552 (c) A nonresident who is at least 18 years of age may possess a pistol or revolver in or
1553 through the commonwealth for the purpose of taking part in a pistol or revolver competition or
1554 attending any meeting or exhibition of any organized group of firearm collectors for the purpose
1555 of hunting; provided, that such person has a permit or license to carry firearms issued from their
1556 state of residence which has substantially similar requirements to those of the commonwealth for
1557 a license to carry;

1558 (d) Police officers and other peace officers of any state, territory or jurisdiction within the
1559 United States duly authorized to possess firearms by the laws thereof shall, for the purposes of
1560 this section, be deemed to have a permit or license to carry non large capacity firearms as
1561 described in this section.

1562 (e) The colonel of the state police shall determine those states with substantially similar
1563 requirements to those of the commonwealth for a long gun permit, license to carry or hunting
1564 license and shall annually publish a list of those states whose requirements comply with this
1565 section.

1566 Section 127B. Firearm purchases, sales or transfers by non-dealers; reporting

1567 (a) A person with a license to carry under section 124 may sell or transfer firearms,
1568 feeding devices, and ammunition therefor and a person with a long gun permit under section 124
1569 may sell or transfer common long guns and ammunition therefor to a person with a license to sell
1570 issued under section 125, a federally licensed firearms dealer, or a federal, state or local
1571 historical society, museum or institutional collection open to the public.

1572 (b) A person with a license to carry may sell or transfer firearms, feeding devices, and
1573 ammunition therefor and a person with a long gun permit may sell or transfer common long guns
1574 and ammunition therefor, provided, however, that no more than 4 transfers occur per calendar
1575 year to:

1576 (i) a person with a license to carry under section 124;

1577 (ii) a person with a permit to purchase under section 124B;

1578 (iii) an exempted person if permitted under section 127 or 127A; or

1579 (iv) a person with a long gun permit under section 124; provided, however, that for
1580 transfers and purchases of firearms that are not common long guns, the transferee must also have
1581 a valid permit to purchase under section 124B.

1582 (c) An heir or legatee upon the death of the firearm owner, a person in the military, police
1583 officers and other peace officers, a veteran's organization and historical society, museums and
1584 institutional collections open to the public may:

1585 (i) sell or transfer firearms, feeding devices, and ammunition therefor, to a federally
1586 licensed firearms dealer, or a federal, state or local historical society, museum or institutional
1587 collection open to the public; and may:

1588 (ii) sell or transfer no more than 4 firearms with feeding device and ammunition therefor
1589 per calendar year to: (A) a person with a license to carry under section 124; (B) a person with a
1590 permit to purchase under section 124B; (C) an exempted person under section 127 or 127A; or
1591 (D) to a person with a long gun permit under section 124; provided, however, that for transfers
1592 and purchases of firearms that are not common long guns, the transferee must also have a valid
1593 permit to purchase under section 124B.

1594 (d) A person with a license to carry under section 124 may purchase or transfer firearms,
1595 feeding devices, and ammunition therefor from a dealer licensed under section 125 or a person
1596 permitted to sell under section 127B.

1597 (e) A person with a long gun permit under section 124 who is over 18 years of age may
1598 purchase or transfer common long guns and ammunition therefor from a dealer licensed under
1599 section 125 or a person permitted to sell under section 127B; provided, however, that if the
1600 permittee also holds a permit to purchase under section 124B the purchase or transfer of
1601 firearms, feeding devices, and ammunition may be permitted.

1602 (f) The holder of a permit to purchase under section 127B may purchase or transfer
1603 firearms, feeding devices, and ammunition from a dealer licensed under section 125 or another
1604 person permitted to sell under section 127B.

1605 (g) A bona fide collector of firearms may purchase a firearm that was not previously
1606 owned or registered in the commonwealth from a dealer licensed under section 125 if it is a curio
1607 or relic firearm as defined in section 121.

1608 (h) Any purchase, sale or transfer of a firearm permitted under this section shall, prior to
1609 or at the point of sale, be conducted over the real time web portal developed by the department of
1610 criminal justice information services. The department of criminal justice information services
1611 shall require each person selling or transferring a firearm pursuant to this section to electronically
1612 provide, through the portal, such information as is determined to be necessary to verify the
1613 identification of the seller and purchaser and ensure that the sale or transfer complies with this
1614 section. Upon submission of the required information, the portal shall automatically review such
1615 information and display a message indicating whether the seller may proceed with the sale or
1616 transfer and shall provide any further instructions for the seller as determined to be necessary by
1617 the department of criminal justice information services. This portal shall keep a record of any
1618 sale or transfer conducted pursuant to this section and shall provide the seller and purchaser with
1619 verification of such sale or transfer.

1620 (i) No person, other than a licensed dealer under section 125 or a person issued a license
1621 or permit under section 124 or 124B or permitted under an exemption in sections 127 and 127A
1622 shall own or possess any firearm, feeding device or ammunition. No person shall sell, give away,

1623 loan or otherwise transfer a firearm, feeding device or ammunition unless through a licensed
1624 dealer or pursuant to the terms of this section unless exempted by law.

1625 SECTION 58. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1626 by striking out section 128 and inserting in place thereof the following section: -

1627 Section 128. Firearm control advisory board

1628 There shall be a firearm control advisory board, within the executive office of public
1629 safety and security, hereinafter referred to as the board, comprised of 7 members: the director of
1630 the firearms record bureau within the department of criminal justice information services or
1631 designee, who shall serve as chair; the attorney general or designee; 1 member appointed by the
1632 speaker of the house of representatives; 1 member appointed by the president of the senate; 2
1633 members appointed by the governor, 1 of whom shall be a member of the gun owners action
1634 league and 1 of whom shall be a police chief selected from a list of four chiefs provided by the
1635 Massachusetts chiefs of police association; and the armorer of the department of state police or
1636 designee.

1637 It shall be the responsibility of the board to advise the executive office of public safety
1638 and security on matters relating to the implementation of sections 121 to 130, inclusive,
1639 including but not limited to compiling, updating and publishing the firearm rosters outlined in
1640 section 128A. The board shall also advise the executive office of public safety and security on
1641 training needs and materials for licensing authorities and licensees. The board shall serve without
1642 compensation; provided, however, that members shall be reimbursed for any usual and
1643 customary expenses incurred in the performance of their duties. The executive office of public

1644 safety and security in consultation with the board shall adopt operating rules and procedures for
1645 its organization and activities.

1646 SECTION 59. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1647 by striking out section 128A and inserting in place thereof the following section: -

1648 Section 128A. Firearms rosters; large capacity; assault-style; target and Olympic shooting

1649 The secretary of public safety and security shall, with the advice of the firearm control
1650 advisory board established pursuant to section 128, compile and publish rosters of large capacity
1651 firearms, large capacity feeding devices, assault-style firearms and firearms approved for sale
1652 and use in the commonwealth. The secretary shall, not less than three times annually, review,
1653 update, and publish the rosters online, and send a copy to all dealers licensed in the
1654 commonwealth pursuant to section 125. Licensing authorities shall provide information on these
1655 rosters to all permitholders and licensees upon initial issuance and every renewal.

1656 The secretary, with the advice of the firearm control advisory board, shall also compile
1657 and publish a roster of firearms solely designed and sold for formal target shooting competitions
1658 or Olympic shooting competitions. The board shall, not less than biannually, review, update and
1659 publish these rosters and make them available for distribution.

1660 The secretary may amend any roster upon their own initiative. A person may petition the
1661 secretary to place a firearm or feeding device on, or remove a firearm or feeding device from, the
1662 roster, subject to the provisions of this section. A petition to amend a roster shall be submitted in
1663 writing to the secretary, in the form and manner prescribed by the secretary, and include reasons
1664 why the roster should be amended. Upon receipt of a petition to amend a roster, the secretary

1665 shall, within 45 days, either notify the petitioner that the petition is denied or modify the roster.
1666 An addition to the roster shall be effective on the date it is published online by the board.

1667 The secretary shall promulgate rules and regulations to effectuate this section, including
1668 but not limited to rules governing the board's procedures, notice, petitions and appeals.

1669 SECTION 60. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1670 by striking out section 128B and inserting in place thereof the following sections: -

1671 Section 128B. Assault-style firearms or large capacity feeding devices not lawfully
1672 possessed on September 13, 1994; exceptions; punishment

1673 No person may knowingly possess, own, offer for sale, sell or otherwise transfer
1674 in the commonwealth or import into the commonwealth an assault-style firearm as defined in
1675 section 121 that was not otherwise lawfully possessed on September 13, 1994, or a large capacity
1676 feeding device as defined in section 121.

1677 This section shall not apply to a large capacity feeding device lawfully possessed on
1678 September 13, 1994 only if such possession is: (i) on private property owned or legally
1679 controlled by the person; (ii) on private property that is not open to the public with the express
1680 permission of the person who owns or controls such property; (iii) while on the premises of a
1681 licensed firearms dealer or gunsmith for the purpose of lawful repair; (iv) at a licensed firing
1682 range or sports shooting competition venue; or (v) while traveling to and from these locations,
1683 provided the large capacity feeding device is stored unloaded and enclosed in accordance with
1684 section 126B.

1685 A person authorized under this chapter to possess a large capacity feeding device may
1686 only transfer the device to an heir, a person residing outside the commonwealth, or a licensed
1687 dealer. Any transfer of a large capacity feeding device shall be reported according to section 122.

1688 Whoever violates this section shall be punished, for a first offense, by a fine of not less
1689 than \$1,000 nor more than \$10,000 or by imprisonment for not less than 1 year nor more than 10
1690 years, or by both such fine and imprisonment, and for a second offense, by a fine of not less than
1691 \$5,000 nor more than \$15,000 or by imprisonment for not less than 5 years nor more than 15
1692 years, or by both such fine and imprisonment.

1693 This section shall not apply to possession by: (i) qualified law enforcement officers and
1694 qualified retired law enforcement officers as defined in the Law Enforcement Officers Safety Act
1695 of 2004 (18 U.S.C. 925B and 926C); or (ii) a federal, state or local law enforcement agency.

1696 The office of the attorney general shall promulgate rules and regulations for this section
1697 which shall include public notice and an outreach campaign to promote awareness of the
1698 provisions of this section.

1699 Section 128C. Covert firearms; deceptive firearm devices; undetectable firearms;
1700 punishment

1701 No person shall knowingly possess, own, sell, offer for sale, transfer, manufacture,
1702 assemble, repair or import any firearm capable of discharging a bullet or shot that is a covert
1703 firearm, a deceptive firearm device, or an undetectable firearm all as defined in section 121.
1704 Whoever violates this section shall be punished, for a first offense, by a fine of not less than
1705 \$1,000 nor more than \$10,000 or by imprisonment for not less than 1 year nor more than 10
1706 years, or by both such fine and imprisonment, and for a second offense, by a fine of not less than

1707 \$5,000 nor more than \$15,000 or by imprisonment for not less than 5 years nor more than 15
1708 years, or by both such fine and imprisonment.

1709 Section 128D. Modifications; automatic conversions; punishment

1710 No person shall perform an automatic conversion as defined in section 121 on any
1711 firearm in the commonwealth. No person shall possess, own or transfer in the commonwealth or
1712 import into the commonwealth any automatic part, bump stock or trigger modifier as defined in
1713 section 121.

1714 Any person found in violation of this section shall be punished by imprisonment in the
1715 state prison for life or for any term of years provided that any sentence imposed shall not be less
1716 than 2 ½ years in state prison or 18 months in the house of correction. The sentence imposed on
1717 such person shall not be reduced to less than 18 months, nor suspended, nor shall any person
1718 convicted under this subsection be eligible for probation, parole, work release, or furlough or
1719 receive any deduction from their sentence for good conduct until they have served 18 months of
1720 such sentence; provided, however, that the commissioner of correction may on the
1721 recommendation of the warden, superintendent, or other person in charge of a correctional
1722 institution, grant to an offender committed under this subsection a temporary release in the
1723 custody of an officer of such institution for the following purposes only: to attend the funeral of a
1724 relative; to visit a critically ill relative; or to obtain emergency medical or psychiatric service
1725 unavailable at said institution. Prosecutions commenced under this subsection shall neither be
1726 continued without a finding nor placed on file.

1727 SECTION 61. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1728 by striking out section 129 and inserting in place thereof the following sections: -

1729 Section 129. Firearms without safety devices; liability; exceptions

1730 Any firearm, as defined in section 121, sold within the commonwealth without a safety
1731 device designed to prevent the discharge of such firearm by unauthorized users and approved by
1732 the colonel of state police including, but not limited to, mechanical locks or devices designed to
1733 recognize and authorize, or otherwise allow the firearm to be discharged only by its owner or
1734 authorized user, by solenoid use-limitation devices, key activated or combination trigger or
1735 handle locks, radio frequency tags, automated fingerprint identification systems or voice
1736 recognition, provided, that such device is commercially available, shall be defective and the sale
1737 of such a firearm shall constitute a breach of warranty under section 2-314 of chapter 106 and an
1738 unfair or deceptive trade act or practice under section 2 of chapter 93A. Any entity responsible
1739 for the manufacture, importation or sale as an inventory item or consumer good, both as defined
1740 in section 9-102 of chapter 106, of such a firearm that does not include or incorporate such a
1741 device shall be individually and jointly liable to any person who sustains personal injury or
1742 property damage resulting from the failure to include or incorporate such a device. If death
1743 results from such personal injury, such entities shall be liable in an amount including, but not
1744 limited to, that provided under chapter 229. Contributory or comparative negligence shall not be
1745 valid defenses to an action brought under this section in conjunction with section 2 of chapter
1746 93A or section 2-314 of chapter 106 or both; provided, however, that nothing herein shall
1747 prohibit such liable parties from maintaining an action for indemnification or contribution
1748 against each other or against the lawful owner or other authorized user of said firearm. Any
1749 disclaimer, limit or waiver of the liability provided under this section shall be void.

1750 No entity responsible for the manufacture, importation or sale of such a firearm shall be
1751 liable to any person for injuries caused by the discharge of such firearm that does not include or

1752 incorporate a safety device as required under this section if such injuries were: (i) self-inflicted,
1753 either intentionally or unintentionally, unless such injuries were self-inflicted by a person less
1754 than 18 years of age; (ii) inflicted by the lawful owner or other authorized user of said firearm;
1755 (iii) inflicted by any person in the lawful exercise of self-defense; or (iv) inflicted upon a co-
1756 conspirator in the commission of a crime.

1757 This section shall not apply to any firearm distributed to an officer of any law
1758 enforcement agency or any member of the armed forces of the United States or the organized
1759 militia of the commonwealth; provided, however, that such person is authorized to acquire,
1760 possess or carry such a firearm for the lawful performance of his official duties; and provided
1761 further, that any such firearm so distributed is distributed solely for use in connection with such
1762 duties.

1763 Section 129A. Illegal sale or transfer of firearms; punishment; prima facie machine gun
1764 business

1765 (a) Whoever licensed under section 125 sells or furnishes any person under 18 years of
1766 age a common long gun or ammunition therefore or any person under 21 years of age a firearm,
1767 large capacity firearm, semiautomatic rifle or shotgun or feeding device or ammunition therefor
1768 shall have their license to sell revoked and shall not be entitled to apply for such license for 10
1769 years from the date of such revocation and shall be punished by a fine of not less than \$1,000 nor
1770 more than \$10,000, or by imprisonment in a state prison for not more than 10 years or house of
1771 correction for not more than 2 ½ years or by both such fine and imprisonment; provided,
1772 however, that a valid permit to purchase issued under section 124B may permit certain firearm
1773 transfers to persons over 18 years of age.

1774 (b) Any person who, without being licensed under section 125 or exempt as provided
1775 under this chapter sells, rents, leases or otherwise transfers a firearm or feeding device, or is
1776 engaged in business as a gunsmith, shall be punished by a fine of not less than \$1,000 nor more
1777 than \$10,000, or by imprisonment for not less than 1 year nor more than 10 years, or by both
1778 such fine and imprisonment.

1779 (c) Whoever not being licensed under section 125 or exempt as provided under this
1780 chapter sells ammunition within the commonwealth shall be punished by a fine of not less than
1781 \$500 nor more than \$1,000 dollars or by imprisonment for not less than 6 months nor more than
1782 2 years.

1783 (d) A person who uses a license to carry firearms, a long gun permit or a permit to
1784 purchase a firearm, feeding device or ammunition for the unlawful use of another or for resale or
1785 transfer to an unlicensed person shall be punished by a fine of not less than \$1,000 nor more than
1786 \$50,000 or by imprisonment for not less than 2 ½ years nor more than 10 years in a state prison
1787 or by both such fine and imprisonment. A conviction of this offense shall be immediately
1788 reported by the court to the licensing authority that issued the license or permit. Said licensing
1789 authority shall immediately revoke the license or permit pursuant to section 123D and no license
1790 or permit shall be issued to a person so convicted within 2 years after the date of the revocation
1791 of the license or permit.

1792 (e) Evidence that a person sold or attempted to sell a machine gun shall constitute prima
1793 facie evidence that such person is engaged in the business of selling machine guns.

1794 SECTION 62. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1795 by striking out section 130 and inserting in place thereof the following sections: -

1796 Section 130. Identification of firearms; certificate by ballistics expert as prima facie
1797 evidence

1798 A certificate by a ballistics expert of the department of the state police or of the city of
1799 Boston of the result of an examination made by the expert of an item furnished to the expert by
1800 any police officer, signed and sworn to by such expert, shall be prima facie evidence of the
1801 expert's findings as to whether or not the item furnished is a firearm, a feeding device or
1802 ammunition, as defined by section 121; provided that in order to qualify as an expert under this
1803 section the expert shall have previously qualified as an expert in a court proceeding.

1804 Section 130A. Placards; signs or advertisements; prima facie evidence

1805 If there is exposed from, maintained in or permitted to remain on any vehicle or premises
1806 any placard, sign or advertisement purporting or designed to announce that firearms are kept in
1807 or upon such vehicle or premises or that an occupant of any vehicle or premises is a gunsmith, it
1808 shall be prima facie evidence that firearms are kept in or upon such vehicle or premises for sale
1809 or that the occupant is engaged in business as a gunsmith.

1810 SECTION 63. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1811 by striking out section 130B and inserting in place thereof the following sections: -

1812 Section 130B. Falsifying firearm license or permit; punishment

1813 Whoever falsely makes, alters, forges or counterfeits or procures or assists another to
1814 falsely make, alter, forge or counterfeit any license or permit issued under sections 124 to 125B,
1815 inclusive, or whoever forges or without authority uses the signature, facsimile of the signature, or
1816 validating signature stamp of the licensing authority or its designee, or whoever possesses, utters,

1817 publishes as true or in any way makes use of a falsely made, altered, forged or counterfeited
1818 license or permit issued under sections 124 to 125B, inclusive, shall be punished by
1819 imprisonment in a state prison for not more than 5 years or in a jail or house of correction for not
1820 more than 2 years, or by a fine of not less than \$500, or both such fine and imprisonment.

1821 Section 130C. Fictitious name or address and other false information; punishment

1822 Whoever in purchasing, renting or otherwise procuring a firearm, feeding device or
1823 ammunition in making application for any form of license or permit issued in connection
1824 therewith, or in requesting that work be done by a gunsmith, gives a false or fictitious name or
1825 address or knowingly offers or gives false information concerning the date or place of birth,
1826 citizenship or residency status, occupation, or criminal record, shall for the first offense be
1827 punished by a fine of not less than \$500 nor more than \$1,000, or by imprisonment for not more
1828 than 1 year, or both; and for a second or subsequent offense, shall be punished by imprisonment
1829 for not less than 2 ½ years nor more than 5 years in the state prison.

1830 Section 130D. Loan of money secured by firearms; punishment

1831 Whoever loans money secured by mortgage, deposit or pledge of a firearm shall be
1832 punished by a fine of not more than \$500 or by imprisonment for not more than 1 year, or by
1833 both; provided, however that nothing herein shall prohibit a bank or other institutional lender
1834 from loaning money secured by a mortgage, deposit, or pledge of a firearm to a manufacturer,
1835 wholesaler, or dealer of firearms. The delivery provisions of section 125A shall not be applicable
1836 to any such mortgage, deposit or pledge unless or until the lender takes possession of the
1837 collateral upon default or the collateral is removed from the premises of the debtor.

1838 SECTION 64. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1839 by striking out section 131 and inserting in place thereof the following section: -

1840 Section 131. Extreme risk protection orders; petitions

1841 (a) A petitioner who believes that a person holding a firearms license or permit may pose
1842 a risk of causing bodily injury to self or others may, on a form furnished by the court and signed
1843 under the pains and penalties of perjury, file a petition in court.

1844 (b) A petition filed pursuant to this section shall:

1845 (i) state any relevant facts supporting the petition;

1846 (ii) identify the reasons why the petitioner believes that the respondent poses a risk of
1847 causing bodily injury to self or others by having in the respondent's control, ownership or
1848 possession a firearm, feeding device or ammunition;

1849 (iii) identify the number, types and locations of any firearms, feeding devices or
1850 ammunition the petitioner believes to be in the respondent's current control, ownership or
1851 possession;

1852 (iv) identify whether there is an abuse prevention order pursuant to chapter 209A, a
1853 harassment prevention order pursuant to chapter 258E or an order similar to an abuse prevention
1854 or harassment prevention order issued by another jurisdiction in effect against the respondent;
1855 and

1856 (v) identify whether there is a pending lawsuit, complaint, petition or other legal action
1857 between the parties to the petition.

1858 (c) No fees for filing or service of process may be charged by a court or any public
1859 agency to a petitioner filing a petition pursuant to this section.

1860 (d) The petitioner's residential address, residential telephone number and workplace
1861 name, address and telephone number, contained within the records of the court related to a
1862 petition shall be confidential and withheld from public inspection, except by order of the court;
1863 provided, however, that the petitioner's residential address and workplace address shall appear on
1864 the court order and shall be accessible to the respondent and the respondent's attorney unless the
1865 petitioner specifically requests, and the court orders, that this information be withheld from the
1866 order. All confidential portions of the records shall be accessible at all reasonable times to the
1867 petitioner and the petitioner's attorney, the licensing authority of the municipality where the
1868 respondent resides and to law enforcement officers, if such access is necessary in the
1869 performance of their official duties. Such confidential portions of the court records shall not be
1870 deemed to be public records under clause 26 of section 7 of chapter 4.

1871 (e) The court may order that any information in the petition or case record be impounded
1872 in accordance with court rule.

1873 (f) Upon receipt of a petition under this section and if the petitioner is a family or
1874 household member as defined in section 121, the clerk of the court shall provide to the petitioner
1875 and respondent informational resources about: (i) crisis intervention; (ii) mental health; (iii)
1876 substance use disorders; (iv) counseling services; and (v) the process to apply for a temporary
1877 commitment under section 12 of chapter 123.

1878 SECTION 65. Said chapter 140 of the General Laws, as so appearing, is hereby amended
1879 by striking out section 131A and inserting in place thereof the following section:

1880 Section 131A. Extreme risk protection orders; hearing; issuance; warrants; surrender of
1881 license, permit and firearm; punishment

1882 (a) The court shall, within 10 days of receipt of a petition pursuant to section 131,
1883 conduct a hearing on the petition. Upon receipt of the petition, the court shall issue a summons
1884 with the date, time and location of the hearing. The court shall direct a law enforcement officer
1885 to personally serve a copy of the petition and the summons on the respondent or, if personal
1886 service by a law enforcement officer is not possible, the court may, after a hearing, order that
1887 service be made by some other identified means reasonably calculated to reach the respondent.
1888 Service shall be made not less than 7 days prior to the hearing.

1889 (b) Notwithstanding subsection (a), the court shall, within 2 days of receipt of a petition
1890 made pursuant to section 131, conduct a hearing on the petition if the respondent files an
1891 affidavit that a firearm, feeding device or ammunition is required in the performance of the
1892 respondent's employment.

1893 (c)(1) If after the hearing pursuant to subsection (a) or subsection (b), the court finds by a
1894 preponderance of the evidence that the respondent poses a risk of causing bodily injury to self or
1895 others by having in the respondent's control, ownership or possession a firearm, feeding device
1896 or ammunition, the court shall grant the petition. If the respondent does not appear at the hearing
1897 pursuant to subsection (a) or subsection (b), the court shall grant the petition upon a
1898 determination that the petitioner has demonstrated by a preponderance of the evidence that the
1899 respondent poses such a risk.

1900 (c)(2) Upon granting a petition, the court shall issue an extreme risk protection order and
1901 shall order the respondent to surrender any firearms licenses and permits and all firearms,

1902 feeding devices and ammunition which the respondent then controls, owns or possesses, to the
1903 licensing authority of the municipality where the respondent resides. The court shall enter written
1904 findings as to the basis of its order within 24 hours of granting the order. The court may modify,
1905 suspend or terminate its order at any subsequent time upon motion by either party; provided,
1906 however, that due notice shall be given to the respondent and petitioner, and the court shall hold
1907 a hearing on said motion. When the petitioner's address is confidential to the respondent as
1908 provided in subsection (d) of section 131 and the respondent has filed a motion to modify the
1909 court's order, the court shall be responsible for notifying the petitioner. In no event shall the court
1910 disclose any such confidential address.

1911 Not less than 30 calendar days prior to the expiration of an extreme risk protection order,
1912 the court shall notify the petitioner at the best-known address of the scheduled expiration of the
1913 order and that the petitioner may file a petition to renew the order pursuant to section 131.

1914 (d) (1) If after the hearing pursuant to subsection (a) or subsection (b), the court has
1915 probable cause to believe that the respondent has access to a firearm, feeding device or
1916 ammunition, on their person or in an identified place, the court shall concurrently issue a warrant
1917 identifying the property, naming or describing the person or place to be searched, and
1918 commanding the appropriate law enforcement agency to search the person of the respondent and
1919 any identified place and seize any firearm, feeding device or ammunition found to which the
1920 respondent would have access.

1921 (2) The court shall subsequently issue additional warrants of this nature based on
1922 probable cause that the respondent has retained, acquired, or gained access to a firearm, feeding
1923 device or ammunition while an order under this section remains in effect.

1924 (3) Upon execution of the extreme risk protection order warrant, the law enforcement
1925 agency conducting the search shall issue a receipt identifying any firearm, feeding device or
1926 ammunition seized. The law enforcement agency shall provide a copy of the receipt to the
1927 respondent. The licensing authority shall then, within 48 hours of the search, return the warrant
1928 to the court with the original receipt. If the law enforcement agency executing the warrant and
1929 the licensing authority for the municipality where the respondent resides are different, the law
1930 enforcement agency shall remit to the licensing authority a copy of the receipt along with any
1931 seized items, and shall file with its warrant and receipt a certification signed by both the law
1932 enforcement agency and the licensing authority that the seized items were delivered to and
1933 accepted by the licensing authority. The licensing authority shall store the seized items with any
1934 items surrendered in accordance with this section.

1935 (e) Upon issuing an extreme risk protection order the clerk-magistrate of the court shall
1936 transmit 2 certified copies of the order and 1 copy of the petition and summons forthwith to the
1937 licensing authority of the municipality where the respondent resides which, unless otherwise
1938 ordered by the court, shall serve a copy of the order and petition upon the respondent. If an
1939 extreme risk protection order warrant has been issued, the court shall submit 2 certified copies of
1940 the warrant, 1 copy of the petition and summons and 1 copy of the extreme risk protection order
1941 to the appropriate law enforcement agency for execution. Licensing authorities and law
1942 enforcement agencies shall establish adequate procedures to ensure that, when effecting service
1943 upon a respondent or executing a warrant, a law enforcement officer shall, to the extent
1944 practicable: (i) fully inform the respondent of the contents and terms of the order or warrant and
1945 the available penalties for any violation; and (ii) provide the respondent with informational
1946 resources, including, but not limited to, a list of services relating to crisis intervention, mental

1947 health, substance use disorders and counseling, and a list of interpreters, as necessary, located
1948 within or near the court's jurisdiction. The chief justice of the trial court, in consultation with the
1949 executive office of public safety and security, and the department of mental health, shall annually
1950 update the informational resource guides required under this section.

1951 Each extreme risk protection order issued by the court shall contain the following
1952 statement: VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

1953 (f) Upon receipt of service of an extreme risk protection order, the licensing authority of
1954 the municipality where the respondent resides shall immediately suspend the respondent's
1955 firearms license or permit and shall immediately notify the respondent of said suspension.

1956 Upon receipt of service of an extreme risk protection order the respondent shall
1957 immediately surrender their firearms license or permit and all firearms, feeding devices or
1958 ammunition in their control, ownership or possession to the local licensing authority serving the
1959 order, in accordance with section 123E; provided, however, that nothing in this section or in said
1960 section 123E shall allow the respondent to: (i) transfer any firearms, feeding devices, or
1961 ammunition required to be surrendered, or surrendered, by the respondent to anyone other than a
1962 licensed dealer; or (ii) maintain control, ownership or possession of any firearms, feeding
1963 devices or ammunition during the pendency of any appeal of an extreme risk protection order;
1964 provided, however, that while the surrender of ownership pursuant to an extreme risk protection
1965 order shall require the immediate surrender of any firearms license or permit and all firearms,
1966 feeding devices or ammunition in the respondent's control or possession, it shall not require the
1967 surrender of permanent ownership rights; and provided further that, notwithstanding section
1968 123E, if the licensing authority cannot reasonably ascertain a lawful owner of firearms, feeding

1969 devices or ammunition surrendered pursuant to extreme risk protection order within 180 days of
1970 the expiration or termination of the extreme risk protection order, the licensing authority may, in
1971 its discretion, trade or dispose of surplus, donated, abandoned or junk firearms, feeding devices
1972 or ammunition to properly licensed distributors or firearms dealers and the proceeds of such sale
1973 or transfer shall be remitted or credited to the municipality in which the licensing authority
1974 presides to be used for violence reduction or suicide prevention. A violation of this subsection
1975 shall be punishable by a fine of not more than \$5,000 or by imprisonment for not more than 2 1/2
1976 years in a house of correction or by both such fine and imprisonment.

1977 (g) Upon receipt of a firearms license or permit and any firearms, feeding devices or
1978 ammunition surrendered by a respondent pursuant to subsection (f) or seized pursuant to
1979 subsection (d), the licensing authority taking possession of the firearms license or permit and
1980 firearms, feeding devices or ammunition shall issue a receipt identifying any firearms license or
1981 permit and all firearms, feeding devices or ammunition surrendered or seized and shall provide a
1982 copy of the receipt to the respondent. The licensing authority shall, within 48 hours of the
1983 surrender or 48 hours of receipt after seizure, file the receipt with the court.

1984 (h) If a person other than the respondent claims title to any firearms, feeding devices or
1985 ammunition required to be surrendered, or seized pursuant to this section, and is determined by
1986 the licensing authority to be the lawful owner of the firearms, feeding devices or ammunition, the
1987 firearms, feeding devices or ammunition shall be returned to the person; provided, however, that:

1988 (i) the firearms, feeding devices or ammunition are removed from the respondent's control,
1989 ownership or possession and the lawful owner agrees to store the firearms, feeding devices or
1990 ammunition in a manner such that the respondent does not have access to, or control of, the
1991 firearms, feeding devices or ammunition; and (ii) the firearms, feeding devices or ammunition

1992 are not otherwise unlawfully possessed by the owner. A violation of this subsection shall be
1993 punishable by a fine of not more than \$5,000 or by imprisonment for not more than 2 1/2 years in
1994 a house of correction or by both such fine and imprisonment.

1995 (i) Upon the expiration or termination of an extreme risk protection order, a licensing
1996 authority holding any firearms, feeding devices or ammunition that have been surrendered
1997 pursuant to this section shall return any firearms license or permit and all firearms, feeding
1998 devices or ammunition requested by a respondent only after the licensing authority of the
1999 municipality in which the respondent resides confirms that the respondent is suitable for a
2000 firearms license or permit and to control, own or possess firearms, feeding devices or
2001 ammunition under federal and state law.

2002 Not less than 7 days prior to the expiration of an extreme risk protection order, a
2003 licensing authority holding any firearms, feeding devices or ammunition that have been
2004 surrendered pursuant to this section shall notify the petitioner of the expiration of the extreme
2005 risk protection order and the return of a firearms license or permit and the return of any firearms,
2006 feeding devices or ammunition to the respondent.

2007 As soon as reasonably practicable after receiving notice of the termination of an extreme
2008 risk protection order by the court, a licensing authority holding any firearms, feeding devices or
2009 ammunition that have been surrendered pursuant to this section shall notify the petitioner of the
2010 termination of the extreme risk protection order and the return of a firearms license or permit and
2011 the return of any firearms, feeding devices or ammunition to the respondent.

2012 (j) A respondent who has surrendered a firearms license or permit and all firearms,
2013 feeding devices or ammunition to a licensing authority, or who had any firearms, feeding devices

2014 or ammunition seized by a law enforcement agency, and who does not wish to have the firearms
2015 license or permit or firearms, feeding devices or ammunition returned or who is no longer
2016 eligible to control, own or possess firearms, feeding devices or ammunition pursuant to this
2017 chapter or federal law, may sell or transfer title of the firearms, feeding devices or ammunition to
2018 a licensed firearms dealer; provided, however, that the respondent shall not take physical
2019 possession of the firearms, feeding devices or ammunition. The licensing authority may transfer
2020 possession of the firearms, feeding devices or ammunition to a licensed dealer upon the dealer
2021 providing the licensing authority with written proof of the sale or transfer of title of the firearms,
2022 feeding devices or ammunition from the respondent to the dealer.

2023 (k) If the licensing authority cannot reasonably ascertain the lawful owner of any
2024 firearms, feeding devices or ammunition surrendered or seized pursuant to this section within
2025 180 days of the expiration or termination of the order to surrender the firearms, feeding devices
2026 or ammunition the licensing authority may dispose of the firearms, feeding devices or
2027 ammunition pursuant to section 123E.

2028 (l) The secretary of public safety and security shall promulgate regulations necessary to
2029 implement sections 131 through 131G, inclusive.

2030 SECTION 66. Said chapter 140 of the General Laws, as so appearing, is hereby amended
2031 by striking out section 131B and inserting in place thereof the following section:

2032 Section 131B. Extreme risk protection orders; emergency orders

2033 (a)(1) Upon the filing of a petition pursuant to section 131, the court may issue an
2034 emergency extreme risk protection order without notice to the respondent and prior to the
2035 hearing required pursuant to subsection (a) of section 131A if the court finds reasonable cause to

2036 conclude that the respondent poses a risk of causing bodily injury to the respondent's self or
2037 others by being in possession of a firearms license or permit or having in the respondent's
2038 control, ownership or possession a firearm, feeding device n or ammunition.

2039 Upon issuance of an emergency extreme risk protection order pursuant to this section, the
2040 clerk magistrate of the court shall notify the respondent pursuant to subsection (e) of section
2041 131A. An order issued under this subsection shall expire 10 days after its issuance unless a
2042 hearing is scheduled pursuant to subsection (a) or (b) of said section 131A or at the conclusion of
2043 a hearing held pursuant to said subsection (a) or (b) of said section 131A unless a permanent
2044 order is issued by the court pursuant to subsection (c)(2) of said section 131A.

2045 (2) Upon receipt of service of an extreme risk protection order pursuant to this section,
2046 the respondent shall immediately surrender the respondent's firearms license or permit and all
2047 firearms, feeding devices or ammunition to the local licensing authority serving the order as
2048 provided in subsection (f) of section 131A.

2049 (b)(1) If the court has probable cause to believe that the respondent has access to a
2050 firearm, feeding device or ammunition, on his or her person or in an identified place, the court
2051 shall concurrently issue a warrant identifying the property, naming or describing the person or
2052 place to be searched, and commanding the appropriate law enforcement agency to search the
2053 person of the respondent and any identified place and seize any firearm, feeding device or
2054 ammunition found to which the respondent would have access.

2055 (2) The law enforcement agency shall conduct its search and manage any seized property
2056 pursuant to (d)(3) of section 131A.

2057 (c) When the court is closed for business, a justice of the court may grant an emergency
2058 extreme risk protection order if the court finds reasonable cause to conclude that the respondent
2059 poses a risk of causing bodily injury to the respondent's self or others by being in possession of a
2060 firearms license or by having in the respondent's control, ownership or possession of a firearm,
2061 feeding device or ammunition, and may issue an extreme risk protection order warrant upon
2062 probable cause that the respondent has access to a firearm, feeding device or ammunition, on
2063 their person or in an identified place. In the discretion of the justice, such relief may be granted
2064 and communicated by telephone to the licensing authority of the municipality where the
2065 respondent resides, which shall record such order and warrant on a form of order promulgated
2066 for such use by the chief justice of the trial court and shall deliver a copy of such order or
2067 warrant on the next court business day to the clerk-magistrate of the court. If relief has been
2068 granted without the filing of a petition pursuant to section 131, the petitioner shall appear in
2069 court on the next available court business day to file a petition. An order or warrant issued under
2070 this subsection shall expire at the conclusion of the next court business day after issuance unless
2071 a petitioner has filed a petition with the court pursuant to said section 131 and the court has
2072 issued an emergency extreme risk protection order pursuant to subsection (a).

2073 SECTION 67. Said chapter 140 of the General Laws, as so appearing, is hereby amended
2074 by striking out section 131C and inserting in place thereof the following sections:

2075 Section 131C. Extreme risk protection orders; notice of order

2076 On the same day that an extreme risk protection order is issued pursuant to section 131A
2077 or section 131B, the clerk magistrate of the court shall forward a copy of the order to: (i) the
2078 licensing authority; (ii) the commissioner of probation; (iii) the department of criminal justice

2079 information services, which shall transmit the report, pursuant to paragraph (h) of section 167A
2080 of chapter 6, to the Attorney General of the United States to be included in the National Instant
2081 Criminal Background Check System; and (iv) any other federal or state computer-based systems
2082 used by law enforcement or others to identify prohibited purchasers of firearms. Upon the
2083 expiration or termination of an extreme risk protection order issued pursuant to said section
2084 131A or said section 131B, the clerk magistrate of the court shall notify: (i) the licensing
2085 authority; (ii) the commissioner of probation; (iii) the department of criminal justice information
2086 services, which shall transmit the report, pursuant to paragraph (h) of section 167A of chapter 6,
2087 to the Attorney General of the United States to be included in the National Instant Criminal
2088 Background Check System; and (iv) any other federal or state computer-based systems used by
2089 law enforcement or others to identify prohibited purchasers of firearms that the order has been
2090 terminated or has expired.

2091 Section 131D. Extreme risk protection orders; false information with intent to harass;
2092 punishment

2093 A person who files a petition for an extreme risk protection order, knowing the
2094 information in the petition to be materially false or with an intent to harass the respondent, shall
2095 be punished by a fine of not less than \$2,500 and not more than \$5,000 or by imprisonment for
2096 not more than 2 1/2 years in the house of correction or by both such fine and imprisonment.

2097 SECTION 68. Said chapter 140 of the General Laws, as so appearing, is hereby amended
2098 by striking out section 131E and inserting in place thereof the following section:

2099 Section 131E. Extreme risk protection orders; pro se petitions

2100 The chief justice of the trial court, in consultation with the chief justice of the district
2101 court and the chief justice of the Boston municipal court, shall promulgate rules, regulations and
2102 policies and shall develop and prepare instructions, brochures, petitions, forms and other material
2103 required for the administration and enforcement of sections 131 to 131G, inclusive, which shall
2104 be in such form and language to permit a petitioner to prepare and file a petition pro se.

2105 SECTION 69. Said chapter 140 of the General Laws, as so appearing, is hereby amended
2106 by striking out section 131F and inserting in place thereof the following section:

2107 Section 131F. Extreme risk protection orders; effect on law enforcement to act;
2108 jurisdiction

2109 (a) Sections 131 to 131G, inclusive, shall not affect the ability of a law enforcement
2110 officer to remove firearms, feeding devices or ammunition from any person or conduct any
2111 search and seizure for firearms, feeding devices or ammunition pursuant to other lawful
2112 authority.

2113 (b) Nothing in sections 131 to 131G, inclusive, shall supersede or limit a licensing
2114 authority's ability to suspend or revoke a license or permit that the licensing authority has issued
2115 pursuant to other lawful authority.

2116 (c) Sections 131 to 131G, inclusive, shall not impose any duty on a family or household
2117 member to file a petition and no family or household member shall be held criminally or civilly
2118 liable for failure to petition.

2119 (d) The supreme judicial court and the appeals court shall have concurrent jurisdiction to
2120 review any proceedings had, determinations made, and orders or judgments entered in the court

2121 pursuant to section 131A or section 131B. The supreme judicial court or the appeals court,
2122 subject to section 13 of chapter 211A may by rule vary the procedure authorized or required for
2123 such review upon a finding that the review by the court will thereby be made more simple,
2124 speedy and effective.

2125 SECTION 70. Said chapter 140 of the General Laws, as so appearing, is hereby amended
2126 by striking out section 131G and inserting in place thereof the following section:

2127 Section 131G. Extreme risk protection orders; annual reporting

2128 The court shall annually, not later than December 31, issue a report on the use of extreme
2129 risk protective orders. The report shall be submitted to the executive office of public safety and
2130 security, the chairs of the joint committee on public safety and homeland security, the chairs of
2131 the joint committee on the judiciary, the chairs of the joint committee on mental health substance
2132 use and recovery, and clerks of the senate and the house of representatives. The report shall
2133 include, but shall not be limited to, the following information:

2134 (1) the number of extreme risk protective order petitions filed;

2135 (2) the number of extreme risk protective order petitions that lead to a respondent's
2136 surrender pursuant to section 131A;

2137 (3) the number of extreme risk protective order petitions that are heard but not granted;

2138 (4) the number of emergency extreme risk protective order petitions filed;

2139 (5) the number of emergency extreme risk protective order petitions that lead to a
2140 respondent's surrender pursuant to 131B;

2141 (6) the number of emergency extreme risk protective order petitions that are heard but not
2142 granted;

2143 (7) the number of extreme risk protection order warrants issued;

2144 (8) the number of extreme risk protection order warrants that lead to the seizure;

2145 (9) a breakdown of the types of items surrendered (e.g., firearms license or permit,
2146 firearm, feeding device or ammunition);

2147 (10) a breakdown of the types of items seized (e.g., firearm, feeding device or
2148 ammunition);

2149 (11) the number of extreme risk protective order or emergency extreme risk protective
2150 order petitions filed that are deemed to be fraudulent;

2151 (12) the number of instances in which a fine has been assessed for a filed petition that
2152 was deemed to be fraudulent;

2153 (13) the race and ethnicity of the petitioner and respondent;

2154 (14) the gender and gender identity of the petitioner and respondent;

2155 (15) the data on the duration of extreme risk protection orders; and

2156 (16) the number of instances in which an order has been terminated or otherwise
2157 modified prior to its original expiration date.

2158 SECTION 71. Chapter 209A of the General Laws, as so appearing, is hereby amended by
2159 striking out section 3B and inserting in place thereof the following section: -

2160 Section 3B. Order for suspension and surrender of firearms license or permit; surrender
2161 of firearms; petition for review; hearing

2162 Upon issuance of a temporary or emergency order under section 4 or 5 of this chapter, the
2163 court shall, if the plaintiff demonstrates a substantial likelihood of immediate danger of abuse,
2164 order the immediate suspension and surrender of any license or permit pursuant to sections 124
2165 to 125B, inclusive, of chapter 140 which the defendant may hold and order the defendant to
2166 surrender all firearms, feeding devices and ammunition which they then control, own or possess
2167 in accordance with this chapter and said chapter 140 and any firearms license or permit which
2168 the defendant may hold shall be surrendered to the appropriate law enforcement officials in
2169 accordance with this chapter and said chapter 140 and, said law enforcement official may store,
2170 transfer or otherwise dispose of any such firearms, feeding devices and ammunition in
2171 accordance section 123E of chapter 140; provided however, that nothing herein shall authorize
2172 the transfer of any firearms, feeding devices or ammunition surrendered by the defendant to
2173 anyone other than a licensed dealer. Notice of such suspension and ordered surrender shall be
2174 appended to the copy of abuse prevention order served on the defendant pursuant to section 7.
2175 Law enforcement officials, upon the service of said orders, shall immediately take possession of
2176 all firearms, feeding devices and ammunition, as well as any firearms license or permit in the
2177 control, ownership, or possession of said defendant. Any violation of such orders shall be
2178 punishable by a fine of not more than \$5,000, or by imprisonment for not more than 2 ½ years in
2179 a house of correction, or by both such fine and imprisonment.

2180 Any defendant aggrieved by an order of surrender or suspension as described in the first
2181 sentence of this section may petition the court which issued such suspension or surrender order
2182 for a review of such action and such petition shall be heard no later than 10 court business days

2183 after the receipt of the notice of the petition by the court. If said firearms license or permit has
2184 been suspended upon the issuance of an order issued pursuant to section 4 or 5, said petition may
2185 be heard contemporaneously with the hearing specified in the second sentence of the second
2186 paragraph of section 4. Upon the filing of an affidavit by the defendant that a firearm, feeding
2187 device or ammunition is required in the performance of the defendant's employment, and upon a
2188 request for an expedited hearing, the court shall order said hearing within 2 business days of
2189 receipt of such affidavit and request but only on the issue of surrender and suspension pursuant
2190 to this section.

2191 SECTION 72. Chapter 209A of the General Laws, as so appearing, is hereby amended by
2192 striking out section 3C and inserting in place thereof the following section: -

2193 Section 3C. Continuation or modification of order for surrender or suspension

2194 Upon the continuation or modification of an order issued pursuant to section 4 or upon
2195 petition for review as described in section 3B, the court shall also order or continue to order the
2196 immediate suspension and surrender of a defendant's firearms license or permit and the
2197 surrender of all firearms, feeding devices or ammunition which such defendant then controls,
2198 owns or possesses if the court makes a determination that the return of such firearm license or
2199 permit or firearms, feeding devices or ammunition presents a likelihood of abuse to the plaintiff.

2200 A suspension and surrender order issued pursuant to this section shall continue so long as the
2201 restraining order to which it relates is in effect; and, any law enforcement official to whom such
2202 firearm, feeding device or ammunition is surrendered may store, transfer or otherwise dispose of
2203 any such firearm, feeding device in accordance with section 123E of chapter 140; provided,
2204 however, that nothing herein shall authorize the transfer of any firearms, feeding devices or

2205 ammunition surrendered by the defendant to anyone other than a licensed dealer. Any violation
2206 of such order shall be punishable by a fine of not more than \$5,000 or by imprisonment for not
2207 more than 2 ½ years in a house of correction or by both such fine and imprisonment.

2208 SECTION 73. Chapter 258E of the General Laws, as so appearing, is hereby amended by
2209 inserting after section 4 the following sections: -

2210 Section 4A. Order for suspension and surrender of firearms license; surrender of
2211 firearms; petition for review; hearing

2212 Upon issuance of a temporary or emergency order under section 5 or 6 of this chapter, the
2213 court shall, if the plaintiff demonstrates a substantial likelihood of immediate danger of
2214 harassment, order the immediate suspension and surrender of any firearms license or permit
2215 which the defendant may hold and order the defendant to surrender all firearms, feeding devices
2216 and ammunition which the defendant then controls, owns or possesses in accordance with this
2217 chapter and chapter 140 and any firearms license or permit which the defendant may hold shall
2218 be surrendered to the appropriate law enforcement officials in accordance with this chapter and
2219 said chapter 140 and, said law enforcement official may store, transfer or otherwise dispose of
2220 any such firearms, feeding devices and ammunition in accordance with section 123E of chapter
2221 140; provided however, that nothing herein shall authorize the transfer of any firearms, feeding
2222 devices and ammunition surrendered by the defendant to anyone other than a licensed dealer.
2223 Notice of such suspension and ordered surrender shall be appended to the copy of the harassment
2224 prevention order served on the defendant pursuant to section 9. Law enforcement officials, upon
2225 the service of said orders, shall immediately take possession of all firearms, feeding devices and
2226 ammunition, and any firearms license or permit in the control, ownership, or possession of said

2227 defendant. Any violation of such orders shall be punishable by a fine of not more than \$5,000, or
2228 by imprisonment for not more than 2 ½ years in a house of correction, or by both such fine and
2229 imprisonment. Any defendant aggrieved by an order of surrender or suspension as described in
2230 the first sentence of this section may petition the court which issued such suspension or surrender
2231 order for a review of such action and such petition shall be heard no later than 10 court business
2232 days after the receipt of the notice of the petition by the court. If said firearms license or permit
2233 has been suspended upon the issuance of an order issued pursuant to section 5 or 6, said petition
2234 may be heard contemporaneously with the hearing specified in the second sentence of the second
2235 paragraph of section five. Upon the filing of an affidavit by the defendant that a firearm, feeding
2236 device or ammunition is required in the performance of the defendant's employment, and upon a
2237 request for an expedited hearing, the court shall order said hearing within 2 business days of
2238 receipt of such affidavit and request but only on the issue of surrender and suspension pursuant
2239 to this section.

2240 Section 4B. Continuation or modification of order for surrender or suspension

2241 Upon the continuation or modification of an order issued pursuant to section 5 or upon
2242 petition for review as described in section 4A, the court shall also order or continue to order the
2243 immediate suspension and surrender of a defendant's firearms license or permit and the surrender
2244 of all firearms, feeding devices or ammunition which such defendant then controls, owns or
2245 possesses if the court makes a determination that the return of such firearms license to permit or
2246 firearms, feeding devices or ammunition presents a likelihood of harassment to the plaintiff. A
2247 suspension and surrender order issued pursuant to this section shall continue so long as the
2248 restraining order to which it relates is in effect; and, any law enforcement official to whom such
2249 firearm, feeding device or ammunition is surrendered may store, transfer or otherwise dispose of

2250 any such weapon in accordance with section 123E of chapter 140; provided, however, that
2251 nothing herein shall authorize the transfer of any firearms, feeding devices or ammunition
2252 surrendered by the defendant to anyone other than a licensed dealer. Any violation of such order
2253 shall be punishable by a fine of not more than \$5,000 or by imprisonment for not more than 2 ½
2254 years in a house of correction or by both such fine and imprisonment.

2255 Section 4C. Transmission of report to department of criminal justice information services
2256 upon order for suspension or surrender

2257 Upon an order for suspension or surrender issued pursuant to sections 4A or 4B, the court
2258 shall transmit a report containing the defendant's name and identifying information and a
2259 statement describing the defendant's alleged conduct and relationship to the plaintiff to the
2260 department of criminal justice information services. Upon the expiration, cancellation or
2261 revocation of the order, the court shall transmit a report containing the defendant's name and
2262 identifying information, a statement describing the defendant's alleged conduct and relationship
2263 to the plaintiff and an explanation that the order is no longer current or valid to the department of
2264 criminal justice information services who shall transmit the report, pursuant to paragraph (h) of
2265 section 167A of chapter 6, to the attorney general of the United States to be included in the
2266 National Instant Criminal Background Check System.

2267 SECTION 74. The title of section 15E of chapter 265 of the General Laws, as so
2268 appearing, is hereby amended by striking out the words “, large capacity weapon, rifle, shotgun,
2269 sawed-off shotgun or machine gun”.

2270 SECTION 75. Section 15E of said chapter 265 of the General Laws, as so appearing, is
2271 hereby amended by striking out, in lines 2 to 3, the words “, large capacity weapon, rifle,
2272 shotgun, sawed-off shotgun or machine gun”.

2273 SECTION 76. The title of section 15F of chapter 265 of the General Laws, as so
2274 appearing, is hereby amended by striking out the words “, large capacity weapon, rifle, shotgun,
2275 sawed-off shotgun or machine gun”.

2276 SECTION 77. Section 15F of said chapter 265 of the General Laws, as so appearing, is
2277 hereby amended by striking out, in lines 2 to 3, the words “, large capacity weapon, rifle,
2278 shotgun, sawed-off shotgun or machine gun”.

2279 SECTION 78. Section 17 of said chapter 265 of the General Laws, as so appearing, is
2280 hereby amended by striking out, in line 8, the word “five” and inserting in place thereof the
2281 following figure: - 5.

2282 SECTION 79. Said section 17 of said chapter 265, as so appearing, is hereby further
2283 amended by striking out, in line 9, the word “ten” and inserting in place thereof the following
2284 figure: - 10.

2285 SECTION 80. Said section 17 of said chapter 265, as so appearing, is hereby further
2286 amended by striking out, in lines 10 to 11 and 13 to 14, each time it appears, the words “,
2287 shotgun, rifle, machine gun or assault weapon”.

2288 SECTION 81. The title of section 18 of said chapter 265 of the General Laws, as so
2289 appearing, is hereby amended by striking out the words “sixty” and inserting in place thereof the
2290 following figure: - 60.

2291 SECTION 82. Section 18 of said chapter 265 of the General Laws, as so appearing, is
2292 hereby amended by striking out, in lines 2 and 9, each time it appears, the word “sixty” and
2293 inserting in place thereof in each instance the following figure: - 60.

2294 SECTION 83. Said section 18 of said chapter 265, as so appearing, is hereby further
2295 amended by striking out, in lines 5 to 6 and 30, each time it appears, the words “, shotgun, rifle,
2296 machine gun or assault weapon”

2297 SECTION 84. Said section 18 of said chapter 265, as so appearing, is hereby further
2298 amended by striking out, in line 7, the word “ten” and inserting in place thereof the following
2299 figure: - 10.

2300 SECTION 85. Said section 18 of said chapter 265, as so appearing, is hereby further
2301 amended by striking out, in lines 12 and 16, each time it appears, the word “two” and inserting in
2302 place thereof in each instance the following figure: - 2.

2303 SECTION 86. Said section 18 of said chapter 265, as so appearing, is hereby further
2304 amended by striking out, in lines 24-25, the words “eighty-seven of chapter two hundred and
2305 seventy-six” and inserting in place thereof the following words: - 87 of chapter 276.

2306 SECTION 87. Said section 18 of said chapter 265, as so appearing, is hereby further
2307 amended by striking out, in line 35, the words “twenty” and inserting in place thereof the
2308 following figure: - 20.

2309 SECTION 88. Said section 18 of said chapter 265, as so appearing, is hereby further
2310 amended by striking out, in line 38, the words “five” and inserting in place thereof the following
2311 figure: - 5.

2312 SECTION 89. Section 18A of said chapter 265 of the General Laws, as so appearing, is
2313 hereby amended by striking out, in lines 4, 11 and 12, each time it appears, the word “ten” and
2314 inserting in place thereof, in each instance, the following figure: - 10.

2315 SECTION 90. Said section 18A of said chapter 265, as so appearing, is hereby further
2316 amended by striking out, in line 6, the word “five” and inserting in place thereof the following
2317 figure: - 5.

2318 SECTION 91. Said section 18A of said chapter 265, as so appearing, is hereby further
2319 amended by striking out, in line 8, the words “, shotgun, rifle or assault weapon,”.

2320 SECTION 92. Section 18B of said chapter 265 of the General Laws, as so appearing, is
2321 hereby amended by striking out, in lines 4, 6 to 7, 18 to 19 and 21, each time they appear, the
2322 words “, rifle or shotgun”.

2323 SECTION 93. Said section 18B of said chapter 265, as so appearing, is hereby amended
2324 by striking out, in line 6, the word “five” and inserting in place thereof the following figure: - 5.

2325 SECTION 94. Said section 18B of said chapter 265, as so appearing, is hereby further
2326 amended by striking out, in lines 7 and 22, each time it appears, the word “weapon” and inserting
2327 in place thereof, in each instance, the following word: - firearm.

2328 SECTION 95. Said section 18B of said chapter 265, as so appearing, is hereby further
2329 amended by inserting, in lines 10 and 24, after the word “gun”, each time it appears, the
2330 following words: - , automatic conversion or automatic part.

2331 SECTION 96. Said section 18B of said chapter 265, as so appearing, is hereby further
2332 amended by striking out, in line 11, the word “ten” and inserting in place thereof the following
2333 figure: - 10.

2334 SECTION 97. Said section 18B of said chapter 265, as so appearing, is hereby further
2335 amended by striking out, in lines 14 to 15, the words “, rifle or shotgun including, but not limited
2336 to, a large capacity weapon or machine gun”.

2337 SECTION 98. Section 21A of said chapter 265 of the General Laws, as so appearing, is
2338 hereby amended by striking out, in lines 6 and 12, each time they appear, the words “two and
2339 one half” and inserting in place thereof, in each instance, the following figure: 2 ½.

2340 SECTION 99. Said section 21A of said chapter 265s, as so appearing, is hereby further
2341 amended by striking out, in line 7, the words “one thousand” and inserting in place thereof the
2342 following figure: - \$1,000.

2343 SECTION 100. Said section 21A of said chapter 265, as so appearing, is hereby further
2344 amended by striking out, in lines 7 and 13, each time they appear, the words “fifteen thousand”
2345 and inserting in place thereof, in each instance, the following words: - \$15,000.

2346 SECTION 101. Said section 21A of said chapter 265, as so appearing, is hereby further
2347 amended by striking out, in line 11, the word “twenty” and inserting in place thereof the
2348 following figure: - 20.

2349 SECTION 102. Said section 21A of said chapter 265, as so appearing, is hereby further
2350 amended by striking out, in line 11, the word “one” and inserting in place thereof the following
2351 figure: - 1.

2352 SECTION 103. Said section 21A of said chapter 265, as so appearing, is hereby further
2353 amended by striking out, in line 13, the words “five” and inserting in place thereof the following
2354 words: - \$5,000.

2355 SECTION 104. Said section 21A of said chapter 265, as so appearing, is hereby further
2356 amended by striking out, in lines 14 to 15, the words “, rifle, shotgun, machine gun or assault
2357 weapon,”.

2358 SECTION 105. Section 22 of said chapter 265 of the General Laws, as so appearing, is
2359 hereby amended by striking out, in lines 8 to 11, the words “fifteen A, fifteen B, seventeen,
2360 nineteen or twenty-six of this chapter, section fourteen, fifteen, sixteen, seventeen or eighteen of
2361 chapter two hundred and sixty-six or section ten of chapter two hundred and sixty-nine” and
2362 inserting in place thereof the following words: - 15A, 15B, 17, 19 or 26 of this chapter, section
2363 14, 15, 16, 17 or 18 of chapter 266 or section 10 of chapter 269.

2364 SECTION 106. Said section 22 of said chapter 265, as so appearing, is hereby further
2365 amended by striking out, in lines 16, 18, 36 and 38, each time it appears, the word “two-thirds”
2366 and inserting in place thereof, in each instance, the following figure: - $2/3$.

2367 SECTION 107. Said section 22 of said chapter 265, as so appearing, is hereby further
2368 amended by striking out, in line 17, the word “two” and inserting in place thereof the following
2369 figure: - 2.

2370 SECTION 108. Said section 22 of said chapter 265, as so appearing, is hereby further
2371 amended by striking out, in line 24, the word “twenty” and inserting in place thereof the
2372 following figure: - 20.

2373 SECTION 109. Said section 22 of said chapter 265, as so appearing, is hereby further
2374 amended by striking out, in lines 28 to 29, the words “, rifle, shotgun, machine gun or assault
2375 weapon,”.

2376 SECTION 110. Said section 22 of said chapter 265, as so appearing, is hereby further
2377 amended by striking out, in line 30, the word “ten” and inserting in place thereof the following
2378 figure: - 10.

2379 SECTION 111. Section 24 of said chapter 265, as so appearing, is hereby further
2380 amended by striking out, in line 3, the word “twenty” and inserting in place thereof the following
2381 figure: - 20.

2382 SECTION 112. Said section 24 of said chapter 265, as so appearing, is hereby further
2383 amended by striking out, in line 4, the words “two and one half” and inserting in place thereof
2384 the following figure: - 2½.

2385 SECTION 113. Said section 24 of said chapter 265, as so appearing, is hereby further
2386 amended by striking out, in line 8, the words “, rifle, shotgun, machine gun or assault weapon”.

2387 SECTION 114. Said section 24 of said chapter 265, as so appearing, is hereby further
2388 amended by striking out, in line 10, the word “five” and inserting in place thereof the following
2389 figure: - 5.

2390 SECTION 115. Said section 24 of said chapter 265, as so appearing, is hereby further
2391 amended by striking out, in lines 16 and 18, each time it appears, the word “two-thirds” and
2392 inserting in place thereof, in each instance, the following figure: - 2/3.

2393 SECTION 116. Section 24B of said chapter 265 of the General Laws, as so appearing, is
2394 hereby amended by striking out, in line 1, the word “sixteen” and inserting in place thereof the
2395 following figure: - 16.

2396 SECTION 117. Said section 24B of said chapter 265, as so appearing, is hereby further
2397 amended by striking out, in lines 2 to 3, the words “thirty-nine of chapter two hundred and
2398 seventy-seven” and inserting in place thereof the following words: - 39 of chapter 277.

2399 SECTION 118. Said section 24B of said chapter 265, as so appearing, is hereby further
2400 amended by striking out, in line 5, the word “eighteen” and inserting in place thereof the
2401 following figure: - 18.

2402 SECTION 119. Said section 24B of said chapter 265, as so appearing, is hereby further
2403 amended by striking out, in line 7, the word “five” and inserting in place thereof the following
2404 figure: - 5.

2405 SECTION 120. Said section 24B of said chapter 265, as so appearing, is hereby further
2406 amended by striking out, in line 9, the words “, rifle, shotgun, machine gun or assault weapon”.

2407 SECTION 121. Said section 24B of said chapter 265, as so appearing, is hereby further
2408 amended by striking out, in line 11, the word “ten” and inserting in place thereof the following
2409 figure: - 10.

2410 SECTION 122. Section 26 of said chapter 265, as so appearing, is hereby further
2411 amended by striking out, in lines 3, 6, 7, 8, 39, 42, 43 and 44, each time it appears, the word
2412 “his” and inserting in place thereof, in each instance, the following word: - their.

2413 SECTION 123. Said section 26 of said chapter 265, as so appearing, is hereby further
2414 amended by striking out, in lines 5, 7, 41 and 43, each time it appears, the word “him” and
2415 inserting in place thereof, in each instance, the following word: - them.

2416 SECTION 124. Said section 26 of said chapter 265, as so appearing, is hereby further
2417 amended by striking out, in lines 9 and 18, each time it appears, the word “ten” and inserting in
2418 place thereof, in each instance, the following figure: - 10.

2419 SECTION 125. Said section 26 of said chapter 265, as so appearing, is hereby further
2420 amended by striking out, in line 10, the words “one thousand dollars” and inserting in place
2421 thereof the following figure: - \$1,000.

2422 SECTION 126. Said section 26 of said chapter 265, as so appearing, is hereby further
2423 amended by striking out, in line 11, the word “two” and inserting in place thereof the following
2424 figure: - 2.

2425 SECTION 127. Said section 26 of said chapter 265, as so appearing, is hereby further
2426 amended by striking out, in lines 16 and 22 to 23, each time it appears, the words “, rifle,
2427 shotgun, machine gun or assault weapon”.

2428 SECTION 128. Said section 26 of said chapter 265, as so appearing, is hereby further
2429 amended by striking out, in lines 18 to 19, the words “two and one half” and inserting in place
2430 thereof the following figure: - 2½.

2431 SECTION 129. Section 39 of said chapter 265, as so appearing, is hereby further
2432 amended by striking out, in lines 5 to 6, the words “five thousand dollars” and inserting in place
2433 thereof the following word: - \$5,000.

2434 SECTION 130. Said section 39 of said chapter 265s, as so appearing, is hereby further
2435 amended by striking out, in lines 7 and 24 to 25, each time it appears, the words “two and one
2436 half” and inserting in place thereof, in each instance, the following figure: - 2½.

2437 SECTION 131. Said section 39 of said chapter 265, as so appearing, is hereby further
2438 amended by striking out, in line 9, the words “three” and inserting in place thereof the following
2439 figure: - 3.

2440 SECTION 132. Said section 39 of said chapter 265, as so appearing, is hereby further
2441 amended by striking out, in lines 12 and 15, each time it appears, the word “one” and inserting in
2442 place thereof, in each instance, the following figure: - 1.

2443 SECTION 133. Said section 39 of said chapter 265, as so appearing, is hereby further
2444 amended by striking out, in line 12, the words “one hundred and fifty-one B” and inserting in
2445 place thereof the following figure: - 151B.

2446 SECTION 134. Said section 39 of said chapter 265, as so appearing, is hereby further
2447 amended by striking out, in lines 15 to 16, the words “ninety-four C” and inserting in place
2448 thereof the following figure: - 94C.

2449 SECTION 135. Said section 39 of said chapter 265, as so appearing, is hereby further
2450 amended by striking out, in line 19, the words “ten thousand dollars” and inserting in place
2451 thereof the following figure: - \$10,000.

2452 SECTION 136. Said section 39 of said chapter 265, as so appearing, is hereby further
2453 amended by striking out, in line 20, the words “five” and inserting in place thereof the following
2454 figure: - 5.

2455

2456 SECTION 137. Said section 39 of said chapter 265, as so appearing, is hereby further
2457 amended by striking out, in line 22, the words “, rifle, shotgun, machine gun or assault weapon”.

2458 SECTION 138. Said section 39 of said chapter 265, as so appearing, is hereby further
2459 amended by striking out, in line 24, the words “ten” and inserting in place thereof the following
2460 figure: - 10.

2461 SECTION 139. Said section 39 of said chapter 265, as so appearing, is hereby further
2462 amended by striking out, in line 31, the words “one hundred dollars” and inserting in place
2463 thereof the following figure: - \$100.

2464 SECTION 140. Said section 39 of said chapter 265, as so appearing, is hereby further
2465 amended by striking out, in line 36, the words “thirty-nine Q of chapter ten” and inserting in
2466 place thereof the following words: - 39Q of chapter 10.

2467 SECTION 141. The title of section 58 of said chapter 265 of the General Laws, as so
2468 appearing, is hereby amended by striking out the word “weapon” and inserting in place thereof
2469 the following word: - firearm.

2470 SECTION 142. Section 58 of said chapter 265 of the General Laws, as so appearing, is
2471 hereby amended by striking out, in line 2, the word “weapon” and inserting in place thereof the
2472 following word: - firearm.

2473 SECTION 143. Section 14 of chapter 266 of the General Laws, as so appearing, is hereby
2474 amended by striking out, in line 10, the words “, rifle, shotgun, machine gun or assault weapon”.

2475 SECTION 144. Section 17 of said chapter 266 of the General Laws, as so appearing, is
2476 hereby amended by striking out, in line 5, the word “ten” in inserting in place thereof the
2477 following figure: - 10.

2478 SECTION 145. Said section 17 of said chapter 266, as so appearing, is hereby amended
2479 by striking out, in line 7, the words “, rifle, shotgun, machine gun or assault weapon”.

2480 SECTION 146. Section 18 of said chapter 266 of the General Laws, as so appearing, is
2481 hereby amended by striking out, in line 5, the word “ten” and inserting in place thereof the
2482 following figure: - 10.

2483 SECTION 147. Said section 18 of said chapter 266, as so appearing, is hereby amended
2484 by striking out, in line 6, the words “five hundred dollars” and inserting in place thereof the
2485 following figure: - \$500.

2486 SECTION 148. Said section 18 of said chapter 266, as so appearing, is hereby amended
2487 by striking out, in line 7, the word “two” and inserting in place thereof the following figure: - 2.

2488 SECTION 149. Said section 18 of said chapter 266, as so appearing, is hereby amended
2489 by striking out, in lines 8 to 9, the words “, rifle, shotgun, machine gun, or assault weapon”.

2490 SECTION 150. The title of section 10 of chapter 269 of the General Laws, as so
2491 appearing, is hereby amended by striking out the word “weapon” and inserting in place thereof
2492 the following word: - firearm.

2493 SECTION 151. Section 10 of said chapter 269, as so appearing, is hereby amended by
2494 striking out subsection (a) and inserting in place thereof the following subsection: -

2495 (a) Whoever, except as provided or exempted by statute, knowingly has in their
2496 possession; or knowingly has under their control in a vehicle; a firearm that is not a common
2497 long gun, loaded or unloaded, as defined in section 121 of chapter 140 without either:

2498 (1) being present in or on their residence or place of business; or

2499 (2) having in effect a license to carry firearms under sections 124 or 124B of chapter 140;

2500 or

2501 (3) having complied with sections 127 and 127A of chapter 140 exempting them from

2502 firearms licensing requirements; or

2503 (4) having complied as to possession of an air rifle or BB gun with the requirements

2504 imposed by section 12 B; and whoever knowingly has in their possession; or knowingly has

2505 under control in a vehicle; a common long gun, loaded or unloaded, as defined in section 121 of

2506 chapter 140, without either:

2507 (i) being present in or on their residence or place of business; or

2508 (ii) having in effect a license or permit permitting the carry of common long guns under

2509 sections 124 or 124B of chapter 140; or

2510 (iii) having complied with sections 127 and 127A of chapter 140 exempting them from

2511 firearms licensing requirements; or

2512 (iv) having complied as to possession of an air rifle or BB gun with the requirements

2513 imposed by section 12B; shall be punished by imprisonment in the state prison for not less than 2

2514 ½ years nor more than 5 years, or for not less than 18 months nor more than 2 ½ years in a jail or

2515 house of correction. The sentence imposed on such person shall not be reduced to less than 18

2516 months, nor suspended, nor shall any person convicted under this subsection be eligible for
2517 probation, parole, work release, or furlough or receive any deduction from their sentence for
2518 good conduct until they shall have served 18 months of such sentence; provided, however, that
2519 the commissioner of correction may on the recommendation of the warden, superintendent, or
2520 other person in charge of a correctional institution, grant to an offender committed under this
2521 subsection a temporary release in the custody of an officer of such institution for the following
2522 purposes only: to attend the funeral of a relative; to visit a critically ill relative; or to obtain
2523 emergency medical or psychiatric service unavailable at said institution. Prosecutions
2524 commenced under this subsection shall neither be continued without a finding nor placed on file.

2525 No person having in effect a license to carry firearms for any purpose, issued under
2526 section 124 or section 124B of chapter 140 shall be deemed to be in violation of this section.

2527 Section 87 of chapter 276 shall not apply to any person 18 years of age or older, charged
2528 with a violation of this subsection, or to any child between ages 14 and 18 so charged, if the
2529 court is of the opinion that the interests of the public require that the person should be tried as an
2530 adult for such offense instead of being dealt with as a child.

2531 The provisions of this subsection shall not affect the licensing requirements of sections
2532 121 to 130, inclusive, of chapter 140 which require every person not otherwise duly licensed or
2533 exempted to have been issued a long gun permit in order to possess a firearm in their residence
2534 or place of business.

2535 SECTION 152. Said section 10 of said chapter 269, as so appearing, is hereby further
2536 amended by striking out, in lines 64, 65, 86, 100, 101, 194 and 195, each time it appears, the
2537 word "his" and inserting in place thereof, in each instance, the following word: - their.

2538 SECTION 153. Said section 10 of said chapter 269, as so appearing, is hereby further
2539 amended by striking out, in lines 89, 91, 94-95, 138 and 200 each time they appear, the words
2540 “two and one-half” and inserting in place thereof, in each instance, the following figure: - 2 1/2.

2541 SECTION 154. Said section 10 of said chapter 269, as so appearing, is hereby further
2542 amended by striking out, in lines 90 and 110, each time it appears, the word “five” and inserting
2543 in place thereof, in each instance, the following figure: - 5.

2544 SECTION 155. Said section 10 of said chapter 269, as so appearing, is hereby further
2545 amended by striking out, in line 90, the word “six” and inserting in place thereof the following
2546 figure: - 6.

2547 SECTION 156. Said section 10 of said chapter 269, as so appearing, is hereby further
2548 amended by striking out, in line 9, the word “he” and inserting in place thereof the following
2549 word: - they.

2550 SECTION 157. Said section 10 of said chapter 269, as so appearing, is hereby further
2551 amended by striking out, in line 94, the words “fifty dollars” and inserting in place thereof the
2552 following figure: - \$50.

2553 SECTION 158. Said section 10 of said chapter 269, as so appearing, is hereby further
2554 amended by striking out, in lines 97 and 102, each time they appear, the words “one hundred and
2555 twenty-one” and inserting in place thereof, in each instance, the following figure: - 121.

2556 SECTION 159. Said section 10 of said chapter 269, as so appearing, is hereby further
2557 amended by striking out, in lines 97 to 98, 99, 102 to 103, and 136 to 137, each time they appear,

2558 the words “one hundred and forty” and inserting in place thereof, in each instance, the following
2559 figure: - 140.

2560 SECTION 160. Said section 10 of said chapter 269, as so appearing, is hereby further
2561 amended by striking out, in lines 98 to 99, the words “one hundred and thirty-one” and inserting
2562 in place thereof the following figure: - 124.

2563 SECTION 161. Said section 10 of said chapter 269, as so appearing, is hereby further
2564 amended by striking out, in lines 110 and 112, each time it appears, the word “seven” and
2565 inserting in place thereof, in each instance, the following figure: - 7.

2566 SECTION 162. Said section 10 of said chapter 269, as so appearing, is hereby further
2567 amended by striking out, in lines 112 and 113, each time it appears, the word “ten” and inserting
2568 in place thereof, in each instance, the following figure: - 10.

2569 SECTION 163. Said section 10 of said chapter 269, as so appearing, is hereby further
2570 amended by striking out, in line 114, the word “fifteen” and inserting in place thereof the
2571 following figure: - 15.

2572 SECTION 164. Said section 10 of said chapter 269, as so appearing, is hereby further
2573 amended by inserting, in lines 119 and 121, after the word “firearm”, each time it appears, the
2574 following words: - , feeding device, ammunition.

2575 SECTION 165. Said section 10 of said chapter 269, as so appearing, is hereby further
2576 amended by inserting, in line 125, after the word “firearm” the following words: - , feeding
2577 device or ammunition.

2578 SECTION 166. Said section 10 of said chapter 269, as so appearing, is hereby further
2579 amended by striking out, in line 134, the words “rifle or shotgun” and inserting in place thereof
2580 the following words: - firearm or feeding device.

2581 SECTION 167. Said section 10 of said chapter 269, as so appearing, is hereby further
2582 amended by striking out, in line 136, the words “one hundred and twenty-nine B” and inserting
2583 in place thereof the following figure: - 122A.

2584 SECTION 168. Said section 10 of said chapter 269, as so appearing, is hereby further
2585 amended by striking out, in line 139, the words “five hundred dollars” and inserting in place
2586 thereof the following figure: - \$500.

2587 SECTION 169. Said section 10 of said chapter 269, as so appearing, is hereby further
2588 amended by striking out, in lines 140 to 141, 150 and 152, each time they appear, the words
2589 “rifle, shotgun” and inserting in place thereof, in each instance, the following words: - feeding
2590 device.

2591 SECTION 170. Said section 10 of said chapter 269, as so appearing, is hereby further
2592 amended by striking out, in line 142, the figure “129C” and inserting in place thereof the
2593 following figure: - 127B.

2594 SECTION 171. Said section 10 of said chapter 269, as so appearing, is hereby further
2595 amended by striking out, in line 153, the words “129C of chapter 140 or section 131” and
2596 inserting in place thereof the following figure: - 124.

2597 SECTION 172. Said section 10 of said section 269, as so appearing, is hereby further
2598 amended by striking out subsection (i) and inserting in place thereof the following subsection: -

2599 (i) Whoever knowingly fails to deliver or surrender a revoked or suspended license or
2600 permit issued under sections 124 to 125C, inclusive, of chapter 140, or receipt for the fee for
2601 such license or permit, as provided in section 123B of said chapter 140, unless an appeal is
2602 pending, shall be punished by imprisonment in a jail or house of correction for not more than 2 ½
2603 years or by a fine of not more than \$1000.

2604 SECTION 173. Said section 10 of said chapter 269, as so appearing, is hereby further
2605 amended by striking out subsection (j) and inserting in place thereof the following subsection: -

2606 (j) (1) Whoever possesses a firearm, loaded or unloaded, as defined in section 121 of
2607 chapter 140, in a prohibited area, and knows or reasonably should know such location is a
2608 prohibited area shall be punished by a fine of not more than \$1,000, imprisonment in the house
2609 of correction for not more than 2 ½ years, or both such fine and imprisonment.

2610 (2) For the purposes of this section, “prohibited area” shall mean any of the following,
2611 including in or upon any part of the buildings, grounds, or parking areas of:

2612 (i) a place owned, leased, or under the control of state, county or municipal government
2613 used for the purpose of government administration, judicial or court administrative proceedings,
2614 or correctional services;

2615 (ii) a location in use as a polling place or used for the storage or tabulation of ballots;

2616 (iii) an elementary school, secondary school, college, university or other educational
2617 institution including transport used for students of said institution and places where persons are
2618 assembled for educational purposes;

2619 (iv) any private property, including but not limited to residential, commercial, industrial,
2620 agricultural, institutional or undeveloped property, unless the owner has provided express
2621 consent or has posted a sign indicating that it is permissible to carry on the premises a firearm
2622 with a valid and lawfully issued firearm license or permit under Chapter 140;

2623 (3) A law enforcement officer may arrest without a warrant and detain a person found in
2624 violation of this section.

2625 (4) It shall be a defense to a violation of this section that a person with a license or permit
2626 issued under sections 124 to 125B, inclusive, of chapter 140 solely stored the licensed firearm
2627 within the prohibited area in a vehicle in accordance with section 126B of chapter 140 or
2628 securely transport the firearm to be stored securely or within the prohibited area for lawful
2629 purposes.

2630 (5) This section shall not apply to a law enforcement officer while in the performance of
2631 their official duties, or a security guard employed by the prohibited area while at the location of
2632 their employment and during the course of their employment.

2633 SECTION 174. Said section 10 of said chapter 269, as so appearing, is hereby further
2634 amended by striking out, in lines 186 to 187, the words “seventy-five of chapter one hundred and
2635 nineteen” and inserting in place thereof the following words: - 75 of chapter 119.

2636 SECTION 175. Said section 10 of said chapter 269, as so appearing, is hereby further
2637 amended by striking out, in lines 187 to 188, the words “eighty-three of chapter one hundred and
2638 nineteen” and inserting in place thereof the following words: - 83 of chapter 119.

2639 SECTION 176. Said section 10 of said chapter 269, as so appearing, is hereby further
2640 amended by striking out, in line 190, the words “one hundred and nineteen” and inserting in
2641 place thereof the following figure: - 119.

2642 SECTION 177. Said section 10 said of chapter 269, as so appearing, is hereby further
2643 amended by striking out, in line 192, the words “eighty-three of chapter one hundred and
2644 nineteen” and inserting in place thereof the following words: - 83 of chapter 119.

2645 SECTION 178. Said section 10 of said chapter 269, as so appearing, is hereby further
2646 amended by striking out, in line 196, the words “weapon or large capacity feeding device
2647 therefor who” and inserting in place thereof the following words: - firearm and.

2648 SECTION 179. Said section 10 of said chapter 269, as so appearing, is hereby further
2649 amended by striking out, in lines 197 to 198, the words “131 or 131F” and inserting in place
2650 thereof the following words: - 124 or 124B.

2651 SECTION 180. Said section 10 of said chapter 269, as so appearing, is hereby further
2652 amended by striking out, in lines 201 and 204 to 205, in each instance, the words “firearm
2653 identification card” and inserting in place thereof, each time it appears, the following words: -
2654 long gun permit.

2655 SECTION 181. Said section 10 of said chapter 269, as so appearing, is hereby further
2656 amended by striking out, in line 202, the word “129B” and inserting in place thereof the
2657 following figure: - 124.

2658 SECTION 182. Said section 10 of said chapter 269, as so appearing, is hereby further
2659 amended by striking out, in line 226, the word “weapon” and inserting in place thereof the
2660 following word: - firearm.

2661 SECTION 183. Said section 10 of said chapter 269, as so appearing, is hereby further
2662 amended by striking out, in line 240, the words “, loaded sawed-off shotgun or loaded machine
2663 gun”.

2664 SECTION 184. Said section 10 of said chapter 269, as so appearing, is hereby further
2665 amended by striking out, in line 250, the words “, rifle or shotgun”.

2666 SECTION 185. Section 10E of said chapter 269 of the General Laws, as so appearing, is
2667 hereby amended by striking out, in lines 4 to 5, the words “rifles shotguns, machines guns, or
2668 any combination thereof.”.

2669 SECTION 186. Said section 10E of said chapter 269, as so appearing, is hereby further
2670 amended by striking out, in line 6, the words “, rifles shotguns, machines guns, or any
2671 combination thereof”.

2672 SECTION 187. The title of section 10F of said chapter 269 of the General Laws, as so
2673 appearing, is hereby amended by striking out the word “weapons” and inserting in place thereof
2674 the following word: - firearms.

2675 SECTION 188. Section 10F of said chapter 269 of the General Laws, as so appearing, is
2676 hereby further amended by striking out, in line 3, the word “weapon” and inserting in place
2677 thereof the following word: - firearm.

2678 SECTION 189. Said section 10F of said chapter 269, as so appearing, is hereby further
2679 amended by striking out, in lines 6 to 7, the words “two and one-half years nor more than ten”
2680 and inserting in place thereof the following words: - 2 ½ years nor more than 10.

2681 SECTION 190. Said section 10F of said chapter 269, as so appearing, is hereby further
2682 amended by striking out, in line 9, the word “five” and inserting in place thereof the following
2683 figure: - 5.

2684 SECTION 191. Said section 10F of said chapter 269, as so appearing, is hereby further
2685 amended by striking out, in line 11, the words “two and one-half years for a first offense, nor less
2686 than five” and inserting in place thereof the following words: - 2 ½ years for a first offense, nor
2687 less than 5.

2688 SECTION 192. Said section 10F of said chapter 269, as so appearing, is hereby further
2689 amended by striking out, in line 31, the word “weapon” and inserting in place thereof the
2690 following word: - firearm.

2691 SECTION 193. Said section 10F of said chapter 269, as so appearing, is hereby further
2692 amended by striking out, in line 33, the word “five” and inserting in place thereof the following
2693 figure: - 5.

2694 SECTION 194. Section 10H of said chapter 269 of the General Laws, as so appearing, is
2695 hereby amended by striking out, in lines 2 and 3, each time it appears, the word “his” and
2696 inserting in place thereof in each instance the following word: - their.

2697 SECTION 195. Said section 10H of said chapter 269, as so appearing, is hereby further
2698 amended by inserting, in line 4, after the figure “140,” the following words: - while with a
2699 percentage, by weight, of alcohol in their blood of eight on-hundredths or greater, or.

2700 SECTION 196. Said chapter 269, as so appearing, is hereby amended by striking out
2701 section 10J and inserting in place thereof the following section: -

2702 Section 10I. Transporting firearms into commonwealth for use in commission of criminal
2703 activity or to unlawfully distribute, sell, or transfer possession to prohibited person; penalty.

2704 (a) Whoever transports a firearm into the commonwealth for use in the commission of
2705 criminal activity shall be punished by imprisonment for not less than 5 years nor more than 10
2706 years.

2707 (b) Whoever transports a firearm into the commonwealth to unlawfully distribute, sell or
2708 transfer possession of the firearm to a prohibited person, as defined in section 123 of chapter
2709 140, shall be punished by imprisonment in the state prison for not less than 10 years nor more
2710 than 20 years.

2711 (c) Whoever transports a firearm into the commonwealth to unlawfully distribute, sell or
2712 transfer the firearm to a prohibited person, as defined in section 123 of chapter 130, and if the
2713 firearm is subsequently used to cause the death of another, shall be punished by imprisonment in
2714 the state prison for not less than 20 years.

2715 SECTION 197. Section 10J of said chapter 269 of the General Laws, as so appearing, is
2716 hereby amended by striking out, in line 9, the figure “131” and inserting in place therefor the
2717 figure: - 123.

2718 SECTION 198. Section 10K of said chapter 269 of the General Laws, as so appearing, is
2719 hereby amended by striking out, in line 10, the words “rifle, shotgun, machinegun” and inserting
2720 in place thereof the following words: - feeding device.

2721 SECTION 199. Section 10K of said chapter 269, as so appearing, is hereby further
2722 amended by striking out, in lines 15 to 16, the words “rifle, shotgun, machinegun” and inserting
2723 in place thereof the following words: - feeding device.

2724 SECTION 200. Section 10K of said chapter 269, as so appearing, is hereby further
2725 amended by striking out, in line 19, the words “rifle, shotgun, machinegun” and inserting in
2726 place thereof the following words: - feeding device.

2727 SECTION 201. Section 11 of said chapter 269 of the General Laws, as so appearing, is
2728 hereby amended by striking out, in line 4, the words “one hundred and thirty-one of chapter one
2729 hundred and forty” and inserting in place thereof the following words: - 124 of chapter 140.

2730 SECTION 202. Said chapter 269 of the General Laws, as so appearing, is hereby
2731 amended by striking out section 11A and inserting in place thereof the following section: -

2732 Section 11A. Definitions

2733 For the purposes of sections 11A to 11C, inclusive, the terms “firearm”, “serial number”
2734 and “untraceable firearm” shall have the same definition as section 121 of chapter 140.

2735 SECTION 203. The title of section 11B of said chapter 269 of the General Laws, as so
2736 appearing, is hereby amended by striking out the words “firearm with serial or identification
2737 number removed or mutilated,” and inserting in place thereof the following words: - an
2738 untraceable firearm.

2739 SECTION 204. Section 11B of said chapter 269 of the General Laws, as so appearing, is
2740 hereby further amended by striking out the first sentence and inserting in place thereof the
2741 following sentence: - Whoever, while in the commission or attempted commission of a felony,
2742 has in their possession or under their control an untraceable firearm, shall be punished by
2743 imprisonment for not less than 2 ½ years.

2744 SECTION 205. The title of section 11C of said chapter 269 of the General Laws, as so
2745 appearing, is hereby amended by striking out the words “Removal or mutilation of serial or
2746 identification numbers of firearms; receiving such firearm” and inserting in place thereof the
2747 following words: - Creation or receipt of an untraceable firearm.

2748 SECTION 206. Section 11C of said chapter 269 of the General Laws, as so appearing, is
2749 hereby further amended by striking out the first sentence and inserting in place thereof the
2750 following sentence: - Whoever, by himself or with another, creates an untraceable firearm, or in
2751 any way participates in the creation of an untraceable firearm or receives a firearm with
2752 knowledge that it is untraceable, shall be punished by imprisonment for not less than 2 1/2 years.

2753 SECTION 207. Said section 11C of said chapter 269, as so appearing, is hereby further
2754 amended by striking out, in lines 9 to 11, the words “the serial number or identification number
2755 of which has been removed, defaced, altered, obliterated or mutilated in any manner” and
2756 inserting in place thereof the following words: - that is untraceable.

2757 SECTION 208. Said section 11C of said chapter 269, as so appearing, is hereby further
2758 amended by striking out, in lines 14 to 15, the words “whatever that such number had been
2759 removed, defaced, altered, obliterated or mutilated” and inserting in place thereof the following
2760 words: - that the firearm was untraceable.

2761 SECTION 209. Said section 11C of said chapter 269, as so appearing, is hereby further
2762 amended by striking out, in lines 19 to 20, the words “or other article”.

2763 SECTION 210. Section 11E of said chapter 269 of the General Laws, as so appearing, is
2764 hereby repealed.

2765 SECTION 211. Section 12D of said chapter 269 of the General Laws, as so appearing, is
2766 hereby amended by striking, in line 30, the word “weapon” and inserting in place thereof the
2767 following word: - firearm.

2768 SECTION 212. Section 12E of said chapter 269 of the General Laws, as so appearing, is
2769 hereby amended by striking out, in lines 2 to 3, the words “, a rifle of shotgun”.

2770 SECTION 213. Said section 12E of said chapter 269, as so appearing, is hereby further
2771 amended by striking out the second sentence and inserting in place thereof the following
2772 sentences: -

2773 This section shall not apply to (a) the lawful defense of life and property; (b) any law
2774 enforcement officer acting in the discharge of their duties; or (c) the discharge of blank
2775 cartridges for theatrical, athletic, ceremonial, firing squad or other purposes in accordance with
2776 section 39 of chapter 148.

2777 This section shall not apply to a dwelling or building on the same property as (a) persons
2778 using underground or indoor target or test ranges with the consent of the owner or legal occupant
2779 thereof; (b) persons using outdoor skeet, trap, target or test ranges with the consent of the owner
2780 or legal occupant of the land on which the range is established; or (c) persons using shooting
2781 galleries, licensed and defined in section 56A of chapter 140. Nothing in this section shall

2782 exempt any persons from compliance with noise control laws, regulations, ordinances or by-laws
2783 in effect or from the prohibitions of section 58 of chapter 131.

2784 SECTION 214. Section 12F of said chapter 269 of the General Laws, as so appearing, is
2785 hereby amended by striking out, in line 11, the figure “131J” and inserting in place thereof the
2786 figure: - 124A.

2787 SECTION 215. Said section 12F of said chapter 269, as so appearing, is hereby further
2788 amended by striking out, in line 12, the words “rifle, shotgun or”.

2789 SECTION 216. Said chapter 269 of the General Laws, as so appearing, is hereby
2790 amended by inserting after section 12F the following section: -

2791 Section 12G. Discharge of a firearm striking a dwelling or other building in use

2792 Whoever discharges a firearm as defined in section 121 of chapter 140, with intent to
2793 strike a dwelling or other building in use, and as a result does strike such dwelling or building,
2794 shall be punished by imprisonment in the house of correction for not more than 2 ½ years, or in
2795 state prison for not more than 5 years. This section shall not apply to the lawful defense of life or
2796 property or any law enforcement officer acting in the discharge of their duties. This section shall
2797 not apply for dwellings or buildings within the property of: (a) persons using underground or
2798 indoor target or test ranges with the consent of the owner or legal occupant thereof; (b) persons
2799 using outdoor skeet, trap, target or test ranges with the consent of the owner or legal occupant of
2800 the land on which the range is established; or (c) persons using shooting galleries, licensed and
2801 defined in section 56A of chapter 140. Nothing in this section shall exempt any persons from
2802 compliance with noise control laws, ordinances or by-laws in effect or from the prohibitions of
2803 section 58 of chapter 131.

2804 SECTION 217. Section 14 of said chapter 269 of the General Laws, as so appearing, is
2805 hereby amended by striking out, in line 15, the words “, rifle, shotgun, machine gun or assault
2806 weapon,”.

2807 SECTION 218. Section 58A of chapter 276 of the General Laws, as so appearing, is
2808 hereby amended by striking out, in line 21, the words “weapon or machine gun” and inserting in
2809 place thereof the following word: - firearm.

2810 SECTION 219. Said Section 58A of said chapter 276, as so appearing, is hereby further
2811 amended by striking out, in line 28, the word “weapon” and inserting in place thereof the
2812 following word: - firearm.

2813 SECTION 220. Said Section 58A of said chapter 276, as so appearing, is hereby further
2814 amended by striking out, in lines 111, 149, 159, 167, 169, 194, 197, 211, 241 and 242, each time
2815 it appears, the word “his” and inserting in place thereof, in each instance, the following word: -
2816 their.

2817 SECTION 221. Said Section 58A of said chapter 276s, as so appearing, is hereby further
2818 amended by striking out, in line 162, the word “he” and inserting in place thereof the following
2819 word: - they.

2820 SECTION 222. Said Section 58A of said chapter 276, as so appearing, is hereby further
2821 amended by striking out, in lines 179 and 194, each time it appears, the word “him” and inserting
2822 in place thereof, in each instance, the following word: - them.

2823 SECTION 223. Said Section 58A of said chapter 276, as so appearing, is hereby further
2824 amended by striking out, in lines 173 to 178, the words “one of chapter two hundred and nine A,

2825 or violation of a temporary or permanent order issued pursuant to section eighteen or thirty-four
2826 B of chapter two hundred and eight, section thirty-two of chapter two hundred and nine, sections
2827 three, four or five of chapter two hundred and nine A, or sections fifteen or twenty of chapter two
2828 hundred and nine C” and inserting in place thereof the following words: - 1 of chapter 209A, or
2829 violation of a temporary or permanent order issued pursuant to section 18 or 34B of chapter 208,
2830 section 32 of chapter 209, sections 3, 4 or 5 of chapter 209A, or sections 15 or 20 of chapter
2831 209C.

2832 SECTION 224. Said Section 58A of said chapter 276, as so appearing, is hereby further
2833 amended by striking out, in lines 179 and 181, each time it appears, the words “he is” and
2834 inserting in place thereof, in each instance, the following words: - they are.

2835 SECTION 225. Said Section 58A of said chapter 276, as so appearing, is hereby further
2836 amended by striking out, in lines 235 and 236, each time they appear, the words “fifty-eight A”
2837 and inserting in place thereof, in each instance, the following figure: - 58A.

2838 SECTION 226. Said Section 58A of said chapter 276, as so appearing, is hereby further
2839 amended by striking out, in line 236, the word “five” and inserting in place thereof the following
2840 figure: - 5.

2841 SECTION 227. Said Section 58A of said chapter 276, as so appearing, is hereby further
2842 amended by striking out, in line 245, the words “he was” and inserting in place thereof the
2843 following words: - they were.

2844 SECTION 228. Section 100A of said chapter 276 of the General Laws, as so appearing,
2845 is hereby amended by striking, in line 26, the figure “131H” and inserting in place thereof the
2846 following figure: - 130D.

2847 SECTION 229. Section 100J of said chapter 276 of the General Laws, as so appearing, is
2848 hereby amended by striking out, in line 17, the figure “131Q” and inserting in place thereof the
2849 following figure: - 131D.

2850 SECTION 230. Section 25 of chapter 279 of the General Laws, as so appearing, is hereby
2851 amended by striking out, in lines 17 to 18, the words “shotgun, rifle, machine gun, or assault
2852 weapon,”.

2853 SECTION 231. (a) As used in this section, the following words shall, unless the context
2854 clearly requires otherwise, have the following meanings:

2855 "Personalized firearm", a firearm manufactured with incorporated design technology or
2856 converted with such technology so that it: (i) allows the firearm to be fired only by the
2857 authorized user(s); or (ii) prevents any of the safety characteristics of the firearm from being
2858 readily deactivated.

2859 “Microstamp”, a microscopic array of characters identifying the make, model, or serial
2860 number of a firearm, etched or otherwise imprinted in 2 or more places on the interior surface or
2861 the internal working parts of the firearm, that are transferred by imprinting on each cartridge case
2862 when the firearm is fired.

2863 (b) There shall be established, pursuant to section 2A of chapter 4 of the General Laws, a
2864 special legislative commission to study and investigate emerging firearm technology.

2865 (c) The special legislative commission shall consist of 13 members: the chairs of the
2866 joint committee on the judiciary or their designees, who shall serve as co-chairs; the secretary of
2867 public safety and security or a designee; the colonel of the state police or a designee; 2 members

2868 appointed by the speaker of the house of representatives; 2 members appointed by the president
2869 of the senate; 1 member appointed by the minority leader of the house of representatives; 1
2870 member appointed by the minority leader of the senate; 2 members appointed by the governor, 1
2871 of whom shall be an expert in emerging firearm technologies; and 1 member appointed by the
2872 national shooting sports foundation.

2873 (d) The special legislative commission shall investigate and study the status, feasibility,
2874 and utility of emerging firearm technologies, including but not limited to personalized firearm
2875 technology and microstamp technology. The study shall include: (i) review of existing and
2876 developing personalized firearm and microstamp technologies; (ii) investigation of the accuracy,
2877 effectiveness and utility of personalized firearm and microstamp technologies; (iii) evaluation of
2878 the availability of personalized firearm and microstamp technologies for commercial use, both in
2879 the production of new firearms and modification of existing firearms; (iv) investigation of the
2880 cost and impacts associated with requiring the use of personalized firearm or microstamp
2881 technologies in the commonwealth; and (vi) evaluation of the feasibility and utility of a
2882 personalized firearm technology tax incentive program.

2883 (e) The special legislative commission shall submit a report of its study and
2884 recommendations, together with any legislative recommendations, to the clerks of the house of
2885 representatives and the senate on or before September 30, 2024.

2886 SECTION 232. (a) There shall be established, pursuant to section 2A of chapter 4 of the
2887 General Laws, a special legislative commission to study the commonwealth's funding structure
2888 for violence prevention services.

2889 (b) The special legislative commission shall consist of 15 members: the chairs of the joint
2890 committee on public safety and homeland security or their designees, who shall serve as co-
2891 chairs; the secretary of public safety and security or a designee; the secretary of health and
2892 human services or a designee; 2 members appointed by the speaker of the house of
2893 representatives, 1 of whom shall be from an organization that has received a grant through the
2894 Safe and Successful Youth Initiative; 2 members appointed by the president of the senate, 1 of
2895 whom shall be from an organization that has received a grant through the Safe and Successful
2896 Youth Initiative; 1 member appointed by the minority leader of the house of representatives; 1
2897 member appointed by the minority leader of the senate; 1 member appointed by the governor
2898 who shall be from an organization involved in early child education or development; 2 members
2899 appointed by the Black and Latino legislative caucus or its successor organization; 1 member
2900 appointed by the Massachusetts association of school superintendents; 1 member appointed by
2901 the Massachusetts council of community hospitals.

2902 (c) The special legislative commission shall: (i) examine and evaluate the existing
2903 government funding structure for violence prevention services in the commonwealth, including
2904 funding sources, initiatives and programs utilized, specific services funded, communities served,
2905 how funding decisions are made, and how service providers and programs are chosen; and (ii)
2906 recommend changes to promote efficiency, transparency, accessibility, and utility with the
2907 ultimate goal of enhancing violence prevention services and minimizing the disproportionate
2908 impact of violence in historically impacted communities.

2909 (d) The special legislative commission shall submit a report of its study and
2910 recommendations, together with any proposed legislation, to the clerks of the house of
2911 representatives and the senate on or before September 30, 2024.

2912 SECTION 233. Any person in possession of a valid firearm identification card on the
2913 effective date of this act may continue to possess common long guns under the terms and
2914 conditions outlined for a long gun permit in chapter 140 until renewal of said card is required.

2915 SECTION 234. The executive office of public safety and security shall notify all
2916 individuals with licenses to carry and firearm identification cards on the effective date of this act
2917 of the requirements under sections 122 and 122A of said chapter 140 not later than 6 months
2918 after the effective date.

2919 SECTION 235. The department of criminal justice information services shall establish
2920 the online portal described in sections 121B, 122, 122A, 122B, 124, 125A and 127B of said
2921 chapter 140 not later than 6 months after the effective date of this act.

2922 SECTION 236. Regulations required by sections 122, 122A and 131A of said chapter
2923 140 shall be promulgated not later than 6 months after the effective date of this act.

2924 SECTION 237. The department of criminal justice information services shall establish its
2925 online dashboard and publish firearm data required by subsection (c) of section 122B of said
2926 chapter 140 not later than 1 year after the effective date of this act.

2927 SECTION 238. Section 131P of the General Laws shall be repealed 1 year after the
2928 effective date of this act.

2929 SECTION 239. Sections 122, 122A, 126 and 126A of said chapter 140 shall take effect 1
2930 year after the effective date of this act.

2931 SECTION 240. Subsection (i) of section 125A of said chapter 140 shall take effect 18
2932 months after the effective date of this act. Until such time, the licensing authority shall enter, 1

2933 time per calendar year, during regular business hours, the business premises of any licensee, and
2934 make inquiries and inspect the licensee's records, inventory, policies and procedures for the
2935 purpose of enforcing the provisions of the General Laws. Licensees found to be in violation of
2936 this chapter shall be subject to the suspension or revocation of their license to sell. Nothing
2937 herein shall prohibit the enforcement from conducting such inspections pursuant to a valid search
2938 warrant issued by a court of competent jurisdiction.

2939 SECTION 241. Subsection (d) of section 131A and subsections (b) and (c) of section
2940 131B of said chapter 140 shall take effect 6 months after the effective date of this act.