

SENATE No. 1071

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to enhance courthouse security.

PETITION OF:

NAME:

Michael O. Moore

DISTRICT/ADDRESS:

Second Worcester

SENATE No. 1071

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1071) of Michael O. Moore for legislation to enhance courthouse security. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1104 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act to enhance courthouse security.

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 10 of Chapter 269 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting after subsection (o) the following subsection:-

3 (p) Whoever, not being a law enforcement officer in the performance of his official
4 duties, and notwithstanding any license obtained by him under the provisions of chapter one
5 hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded, in a
6 courthouse without written authorization of the trial court administrator and trial court chief
7 justice shall be punished by a fine of not more than one thousand dollars or by imprisonment for
8 not more than one year or both. For the purpose of this paragraph, “firearm” shall mean any
9 pistol, revolver, rifle, or smoothbore arm from which a shot, bullet, or pellet can be discharged
10 by whatever means.

11 Whoever, not being a law enforcement officer in the performance of his official duties,
12 and notwithstanding any license obtained by him under the provisions of chapter one hundred
13 and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded, in a
14 courthouse with the intent to use said firearm during the commission of a crime shall be punished
15 by imprisonment in the state prison nor more than five years or for not more than two and a half
16 years in a jail or house of correction or by a fine of not more than five thousand dollars or by
17 both imprisonment. For the purpose of this paragraph, “firearm” shall mean any pistol, revolver,
18 rifle, or smoothbore arm from which a shot, bullet, or pellet can be discharged by whatever
19 means.

20 Notice of the provisions of subsection (p) shall be posted conspicuously at each public
21 entrance to each courthouse.

22 SECTION 2. Chapter 221 of the General Laws, as appearing in the 2020 Official Edition,
23 is hereby amended by striking Section 70A and replacing it with the following language:-

24 “Section 70A. Court officers and those authorized to act as court officers within the
25 judicial branch may perform police duties and have police powers in or about the areas of the
26 court to which they have been assigned or on the grounds adjacent to the court, including court
27 parking lots, when so designated by the chief justice of the trial court, the chief justice of the
28 supreme judicial court or the chief justice of the appeals court as appropriate. Said court officers
29 and those authorized to act as court officer shall also have police powers when attending a court
30 proceeding convened in a location other than the courthouse, when escorting jurors on court
31 business, when escorting a judicial officer, or when participating in the care, custody or transport
32 of detainees.