HOUSE DOCKET, NO. 783 FILED ON: 1/13/2025

HOUSE . . . . . No. 1047

The Commonwealth of Massachusetts

PRESENTED BY:

Danillo A. Sena

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 requiring nonlead ammunition when taking wildlife.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Danillo A. Sena	*37th Middlesex*	*1/13/2025*

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HOUSE . . . . . No. 1047

By Representative Sena of Acton, a petition (accompanied by bill, House, No. 1047) of Danillo A. Sena relative to requiring lead free ammunition when taking wildlife. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *903* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act requiring nonlead ammunition when taking wildlife.

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

SECTION 1. Section 3 of chapter 21A of the General Laws, as appearing in the 2020 Official Edition, is hereby amending by inserting after the third paragraph the following paragraph:-

The secretary shall compile annually a report providing information on the enforcement of section 5(c) of chapter 131 during the preceding calendar year. The secretary shall submit a copy of such report annually to the joint committee on environment, natural resources and agriculture and make such report available to the public. The report shall include, but not be limited to:

(a) The number of reported violations of section 5(c) of chapter 131, in the commonwealth and by municipality;

(b) An accounting of penalties relating to violations of section 5(c) of chapter 131, in the commonwealth and by municipality; and

(c) Efforts made to enforce section 5(c) of chapter 131, in the commonwealth and by municipality.

SECTION 2. Section 1 of said chapter 131, as so appearing, is hereby amended by inserting after the thirtieth paragraph the following paragraph:-

“Nonlead ammunition”, ammunition containing less than one percent of lead.

SECTION 3. Said chapter 131 is hereby further amended by striking out section 5, as so appearing, and inserting in place thereof the following section:-

Section 5.

(a) The director:

(1) shall declare an open season on fish, birds, reptiles, amphibians or mammals in any county where such open season seems advisable;

(2) may make rules and regulations relating to the time and length of the open season, bag limits, possession limits, methods of taking, time and methods of reporting and all other matters pertaining to the open season as the director may consider necessary and expedient; and

(3) may suspend or modify the open season whenever in the director's opinion such action becomes necessary.

(b) The director shall establish rules and regulations providing for an annual 2-day deer hunt for persons with paraplegia and no fee shall be charged for a special hunting license issued to a person with paraplegia under the provisions of this section. The director shall determine the dates and area for this hunt; provided, however, that no deer hunt for persons with paraplegia shall be authorized in any area where hunting is prohibited by any special or general law.

(c) Birds or mammals shall only be taken with nonlead ammunition.

(1) The director shall certify compliant ammunition as nonlead ammunition. The director shall establish and update a list of certified ammunition at least annually, including but not limited to, federally approved nontoxic shotgun ammunition.

(2) The director shall notify hunters of this subsection's requirements, including but not limited to, through publication on the division's website.

(3) Any person who uses lead ammunition to take a bird or mammal shall be punished by a fine of not less than $100 nor more than $250, or by imprisonment for not more than 30 days, or both such fine and imprisonment.

(4) This subsection shall not apply to government officials or their agents when performing a duty required by law.

(d) Rules and regulations made under authority of this section shall be subject to the approval of the fisheries and wildlife board as defined in section 7 of chapter 21, not less than 3

members of which, together with the director, shall hold a public hearing with regards thereto, and such rules and regulations shall be subject to the provisions of section 37 of chapter 30.

(e) The director, without hearing, but with the approval of the fisheries and wildlife board, may adopt regulations declared by the director to be emergency regulations necessary for the immediate management or control. Such emergency regulations may be limited in time but shall not remain in effect for a period longer than 90 days.

(f) Except as provided in rules and regulations made under the authority of this section, and except as otherwise provided in this chapter, a person shall not fish, hunt or trap or have in a person's possession any fish, bird, reptile, amphibian, mammal or carcass or part thereof, but this section shall not be construed to prohibit the hunting, taking or possession of any English sparrow, crow, jay, starling, chipmunk, fox, flying squirrel, red squirrel, porcupine, skunk, weasel, wildcat or woodchuck whenever such hunting, taking or possession is otherwise lawful.

SECTION 4. Section 90 of said chapter 131, as so appearing, is hereby amended by striking out "Whoever violates any provision of section five, ten, eleven, thirty, thirty-two, thirty-five, thirty-six, thirty-eight, forty-seven, forty-nine, fifty, fifty-one, fifty-three, fifty-four, fifty-seven, fifty-eight, fifty-nine, sixty-two, sixty-nine, seventy-one, seventy-two, eighty, eighty-two, eighty-three, eighty-four, or eighty-five, or any rule or regulation made under authority thereof, shall be punished by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment for not more than thirty days, or both such fine and imprisonment" in the first paragraph and inserting in place thereof the following:-

Whoever violates any provision of section 5, 10, 11, 30, 32, 35, 36, 38, 47, 49, 50, 51, 53, 54, 57, 58, 59, 62, 69, 71, 72, 80, 82, 83, 84, or 85, or any rule or regulation made under authority thereof, shall be punished by a fine of not less than $100 nor more than $250, or by imprisonment for not more than 30 days, or both such fine and imprisonment;