

**JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY**

BILL NO. H1837

TITLE: An Act increasing penalties for the illegal sale and possession of firearms.

SPONSOR: Rep. David P. Linsky

COSPONSORS: None

HEARING DATE: May 6, 2025

PRIOR HISTORY: H1619 (2023-2024)
H1740 (2021-2022)
H2094 (2019-2020)

SENATE BILL: None

CURRENT LAW: Section 10 of Chapter 269 of the General Law prohibits carrying a firearm without a license punishable by 2.5 to 5 years in state prison or 18 months to 2.5 years in a house of correction. A second or subsequent offense is punishable by 5 to 7 years in state prison. Carrying of a variety of dangerous weapons is also prohibited and punishable by 2.5 to 5 years in state prison or 6 months to 2.5 years in a house of correction except if the defendant has no record of prior felonies punishment is up to 2.5 years in a house of correction or not more than a \$50 fine. Carrying a machine gun without a license or a sawed-off shotgun, automatic part, bump stock, rapid-fire trigger activator or trigger modifier is punishable by up to life in state prison or any term of years not less than 18 months. A second offense of any of the above crimes is punishable by 5 to 7 years in state prison, a third offense is punishable by 7 to 10 years in prison and a fourth offense by 10 to 15 years in prison.

Failure to comply with the registration requirements for producing or selling a firearm is punishable by up to 2.5 years in a house of correction or not more than a \$500 fine. Failure to comply with the registration requirements for possessing or transferring a firearm or ammunition is punishable by up to 2 years in a house of correction or not more than a \$1,000 fine, or both. Leaving a firearm or ammunition unattended with the intent to transfer the same to an unlicensed person to commit or conceal a crime is punishable by up to 5 years in state prison or 2.5 years in a house of correction.

Possessing a large capacity firearm or feeding device without a license is punishable by 2.5 to 10 years in state prison.

Section 128 of Chapter 140 prohibits a licensed seller of firearms from selling firearms or ammunition to any person without the proper license punishable by up to 10 years in state prison or up to 2.5 years in a house of correction or a \$1,000 to \$10,000 fine, or both the fine and incarceration. Transferring a firearm without a license or exception is punishable by 1 year to 10 years imprisonment or a \$1,000 to \$10,000 fine, or both.

BILL SUMMARY:

Section 1 – Increases the upper limit of a sentence for a first offense of carrying a dangerous weapon in Section 10 from 5 years to 10 years.

Section 2 – Increases the upper limit of a sentence for a second offense of for all of the crimes listed in Section 10 above from 7 to 20 years.

Section 3 - Increases the upper limit of a sentence for a third offense of for all of the crimes listed in Section 10 above from 15 to life imprisonment.

Section 4 - Increases the upper limit of a sentence for a fourth offense of for all of the crimes listed in Section 10 above from 10 to 20 years.

Section 5 – Increases the potential punishment for failure to comply with the registration requirements for producing or selling a firearm under Section 10 to include 3 to 10 years in state prison and removes the fine language.

Section 6 – Increases the potential punishment for leaving a firearm or ammunition unattended with the intent to transfer the same to an unlicensed person to commit or conceal a crime under Section 10 to up to 7 years in state prison.

Section 7 – Increases the potential punishment for possessing a large capacity firearm or feeding device without a license under Section 10 to 20 years in state prison.

Section 8 – Increases the upper limit of a sentence for transferring a firearm without a license or exception under Section 128 of Chapter 140 to 20 years.

