

JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY

BILL NO. H2034

TITLE: An Act ensuring the enforcement of mandatory minimums for firearm related crimes

SPONSOR: Rep. Marcus Vaughan

COSPONSORS: None

HEARING DATE: May 6, 2025

PRIOR HISTORY: H1806 (2023-2024)

SENATE BILLS: 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 – Adds language to Section 10 making a judge civilly liable for damages caused in the commission of a felony by an offender after release if the judge either did not impose the required minimum mandatory sentence provided or released a person accused of violating the section on bail.