

# HOUSE . . . . . No. 4885

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## The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2584; and striking out the title and inserting in place thereof the following title: “An Act to sensibly address firearm violence through effective reform”) of the House Bill modernizing firearm laws (House, No. 4139), reports recommending passage of the accompanying bill (House, No. 4885). July 17, 2024.

Michael S. Day	Cynthia Stone Creem
Carlos González	Joan B. Lovely
Joseph D. McKenna	

**HOUSE . . . . . No. 4885**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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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 172M of chapter 6 of the General Laws, as appearing in the 2022  
2 Official Edition, is hereby amended by striking out, in lines 6 and 7, the words:- “and  
3 unmonitored contact with firearms, shotguns or rifles” and inserting in place thereof the  
4 following words:- contact with firearms, as defined in section 121 of said chapter 140.

5           SECTION 2. Section 18 ¾ of chapter 6A of the General Laws, as so appearing, is hereby  
6 amended by striking out, in lines 88 and 89, the words “and (v) the effectiveness of section 128B  
7 of chapter 140” and inserting in place thereof the following words:- (v) the effectiveness of  
8 section 128B of chapter 140; and (vi) an analysis of whether the license number used for the  
9 purchase or transfer of a firearm used in a crime or attempted or completed suicide was  
10 associated with the purchase or transfer of any other firearm, in the commonwealth or any other  
11 jurisdiction, within a 12-month period prior to or subsequent to the sale of the recovered firearm  
12 and the total number of such firearms purchased and transferred by that license holder and  
13 whether any of such firearms were also used in the commission of a crime.

14 SECTION 3. Section 5J of chapter 18 of the General Laws, as so appearing, is hereby  
15 amended by striking out, in lines 10 and 11, inclusive, the words “and ammunitions dealers  
16 licensed pursuant to section 122B of said chapter 140”.

17 SECTION 4. Section 2LLL of chapter 29 of the General Laws, as so appearing, is hereby  
18 amended by striking out, in lines 8 and 9, the words “fee assessed under sections 122, 122B,  
19 129B, 131, 131A, 131F, and 131H” and inserting in place thereof the following words:- fees  
20 assessed under section 121F, 131A and 131F.

21 SECTION 5. Said capter 29 is hereby further amended by inserting after section  
22 2DDDDDD the following section:-

23 Section 2EEEEEE. To enhance violence prevention and intervention services, there shall  
24 be established and set up on the books of the commonwealth a separate fund to be known as the  
25 Violence Prevention Federal Reinvestment Trust Fund. There shall be credited to the fund  
26 revenues equal to the amount of federal financial participation received by the General Fund for  
27 expenditures for violence prevention and intervention services and any other reimbursements,  
28 grants, premiums, gifts, interest or other contributions from any source received that are  
29 specifically designated to be credited to the fund. The secretary of health and human services  
30 shall be the trustee of the fund.

31 To accommodate timing discrepancies between the receipt of revenues and related  
32 expenditures, the fund may incur expenses, and the comptroller shall certify for payment  
33 amounts not to exceed the most recent revenue estimate certified by the MassHealth director and  
34 reported in the state accounting system. Amounts credited to the fund shall be subject to further

35 appropriation and monies remaining in the fund at the end of a fiscal year shall not revert to the  
36 General Fund and shall be available for expenditure in the subsequent fiscal year.

37 The secretary shall report annually on or before August 1 to the chairs of the house and  
38 senate committees on ways and means and the house and senate chairs of the joint committee on  
39 the judiciary, the joint committee on public safety and homeland security and the joint committee  
40 on public health on the revenue and expenditure activity within the trust fund.

41 SECTION 6. Section 10B of chapter 66 of the General Laws, as appearing in the 2022  
42 Official Edition, is hereby amended by striking out, in lines 7 and 8, the following words:- ,  
43 rifles, shotguns, machine guns.

44 SECTION 7. Said section 10B of said chapter 66, as so appearing, is hereby further  
45 amended, in line 14, by inserting after the word “request” the following words:- provided,  
46 however, that nothing in this section shall prohibit the transmission of data and other information  
47 to the department of criminal justice information services and its use pursuant to section 121E of  
48 chapter 140.

49 SECTION 8. Section 26 of chapter 90B of the General Laws, as so appearing, is hereby  
50 amended by striking out, in line 66, the words “rifle or shotgun” and inserting in place thereof  
51 the following words:- as defined in section 121 of chapter 140,.

52 SECTION 9. Said section 26 of said chapter 90B, as so appearing, is hereby further  
53 amended by striking out, in lines 68 and 69, the words “such firearm, rifle or shotgun is unloaded  
54 and in an enclosed case” and inserting in place thereof the following words:- such person  
55 possesses the required license to carry or firearm identification card issued under sections 129B  
56 or 131, of chapter 140 and carries such firearm in compliance with section 131C of chapter 140.

57 Any violation of this subsection shall be penalized in accordance with section 131C of chapter  
58 140.

59 SECTION 10. Section 35 of chapter 123 of the General Laws, as so appearing, is hereby  
60 amended by striking out, in line 122, the words “rifle or shotgun” and inserting in place thereof  
61 the following words:- as defined in section 121 of chapter 140.

62 SECTION 11. Section 36A of said chapter 123, as so appearing, is hereby amended by  
63 striking out the second paragraph and inserting in place thereof the following paragraph:-

64 Notwithstanding this section, a court shall, pursuant to section 35 and section 36C,  
65 transmit information contained in court records to the department of criminal justice information  
66 services, which shall provide the information to: (i) licensing authorities as defined under section  
67 121 of chapter 140; provided, however, that information shared under this clause shall be  
68 information required or permitted to be considered under state or federal law to conduct  
69 background checks for firearm sales or licensing; and (ii) the Federal Bureau of Investigation;  
70 provided, however, that the information shared under this clause shall be information required or  
71 permitted under federal law to be included in the National Instant Criminal Background Check  
72 System maintained to conduct background checks for firearms sales or licensing; provided  
73 further, that the court shall not transmit information solely because a person seeks voluntary  
74 treatment or is involuntarily hospitalized for assessment or evaluation. Information transmitted to  
75 the department of criminal justice information services pursuant to this section and said sections  
76 35 and 36C shall not be considered public records pursuant to section 10 of chapter 66 and  
77 clause Twenty-sixth of section 7 of chapter 4. If the information required to be transmitted under  
78 clause (i) of this paragraph relates to a person who currently holds a license, card or permit

79 issued under sections 122, 122B, 129B, 131 or 131F of chapter 140, such information shall be  
80 disseminated automatically to the relevant licensing authority through the Criminal Justice  
81 Information System for each commitment that is ordered as soon as the information is available.

82 SECTION 12. Section 36C of said chapter 123, as so appearing, is hereby amended by  
83 adding the following subsection:-

84 (e) A law enforcement agency that applies for or is involved in the restraint and  
85 application for hospitalization of a person pursuant to subsection (a) or (b) of section 12 shall  
86 transmit the incident log or report number and the person's name and identifying information,  
87 including the person's social security number and date of birth, to the department of criminal  
88 justice information services to provide licensing authorities as defined in section 121 of chapter  
89 140 with information required or permitted to be considered under state or federal law to conduct  
90 background checks for firearm sales or licensing. Documents provided to the department of  
91 criminal justice information services pursuant to this subsection shall not include any  
92 information about or descriptions of the person's medical or psychiatric diagnosis, treatment  
93 plans, mental health medications, mental health care providers or other information of a clinical  
94 nature. No person shall be considered prohibited from being issued a license, card or permit  
95 under sections 122, 122B, 129B, 131 or 131F due solely to the person's restraint and application  
96 for hospitalization pursuant to said subsection (a) or (b) of said section 12 unless the licensing  
97 authority determines the person is disqualified for said license, card or permit or unsuitable for  
98 the same under section 121F of said chapter 140; provided, however, that when determining the  
99 person's suitability for a firearm license, card or permit, a licensing authority shall make  
100 inquiries to the law enforcement agency that submitted the record of the restraint and application  
101 for hospitalization and to the court that ordered or denied the commitment regarding the

102 circumstances of such restraint and application for hospitalization and reasons for the order or  
103 denial. Any person denied a license, card or permit under this subsection without an order of  
104 commitment from a court under subsection (e) of section 12 may, after 5 years from the date of  
105 denial, file a petition for relief under subsection (b) with the court that denied the commitment  
106 requesting the court restore the person's ability to possess a firearm. The department of criminal  
107 justice information services shall not disclose any record or information received under this  
108 subsection for any reason other than to provide licensing authorities with information required or  
109 permitted to be considered under state or federal law to conduct background checks for firearm  
110 sales or licensing. A licensing authority shall not disclose any record or information received  
111 under this subsection for any reason or purpose other than that which is necessary to carry out  
112 the licensing authority's responsibilities to issue or revoke a license, card or permit under chapter  
113 140. Nothing in this subsection shall prevent an applicant or permit, card or license holder from  
114 appealing a denial, revocation or suspension of a permit, card or license pursuant to section 121F  
115 of said chapter 140.

116 SECTION 13. Chapter 131 is hereby amended by striking out section 62 and inserting in  
117 place thereof the following section:-

118 Section 62. A person, with a percentage, by weight, of alcohol in their blood of eight one-  
119 hundredths or greater, or while under the influence of intoxicating liquor, or of marihuana,  
120 narcotic drugs, depressant or stimulant substances, all as defined in section 1 of chapter 94C, or  
121 who intentionally smells or inhales the fumes of any substance having the property of releasing  
122 toxic vapors in violation of section 18 of chapter 270, shall not hunt or carry a firearm, bow and  
123 arrow or other firearm while engaged in hunting or target shooting. A violation of this section

124 shall be punished by a fine of not more than \$5,000 or by imprisonment in the house of  
125 correction for not more than 2 ½ years, or by both such fine and imprisonment.

126 SECTION 14. Section 90 of said chapter 131, as appearing in the 2022 Official Edition,  
127 is hereby amended by striking out, in line 7, the figure “, 62”.

128 SECTION 15. Section 121 of chapter 140, as so appearing, is hereby amended by  
129 inserting after the definition of “Ammunition” the following definition:-

130 “Antique firearm”, any firearm or replica thereof manufactured in or prior to the year  
131 1899 if such firearm: (i) is not designed or redesigned for using rimfire or conventional centerfire  
132 fixed ammunition; or (ii) uses rimfire or conventional centerfire fixed ammunition that is no  
133 longer manufactured in the United States and which is not readily available in the ordinary  
134 channels of commercial trade; provided, that “antique firearm” shall include any muzzle loading  
135 rifle, shotgun or pistol that is designed to use black powder, or a black powder substitute, and  
136 that cannot use fixed ammunition, unless the firearm: (a) incorporates a firearm frame or  
137 receiver; (b) is converted into a muzzle loading firearm; or (c) is a muzzle loading firearm that  
138 can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or  
139 any combination thereof.

140 SECTION 16. Said section 121 of said chapter 140, as so appearing, is hereby further  
141 amended by striking out the definition of “Assault weapon” and inserting in place thereof the  
142 following 5 definitions:-

143 “Assault-style firearm”, any firearm which is:



144 (a) a semiautomatic, centerfire rifle with the capacity to accept a detachable feeding  
145 device and includes at least 2 of the following features: (i) a folding or telescopic stock; (ii) a  
146 thumbhole stock or pistol grip; (iii) a forward grip or second handgrip or protruding grip that can  
147 be held by the non-trigger hand; (iv) a threaded barrel designed to accommodate a flash  
148 suppressor or muzzle break or similar feature; or (v) a shroud that encircles either all or part of  
149 the barrel designed to shield the bearer's hand from heat, excluding a slide that encloses the  
150 barrel.

151 (b) a semiautomatic pistol with the capacity to accept a detachable feeding device and  
152 includes at least 2 of the following features: (i) the capacity to accept a feeding device that  
153 attaches to the pistol outside of the pistol grip; (ii) a second handgrip or a protruding grip that can  
154 be held by the non-trigger hand; (iii) a threaded barrel capable of accepting a flash suppressor,  
155 forward handgrip or silencer; or (iv) a shroud that encircles either all or part of the barrel  
156 designed to shield the bearer's hand from heat, excluding a slide that encloses the barrel.

157 (c) a semiautomatic shotgun that includes at least 2 of the following features: (i) a folding  
158 or telescopic stock; (ii) a thumbhole stock or pistol grip; (iii) a protruding grip for the non-trigger  
159 hand; or (iv) the capacity to accept a detachable feeding device.

160 (d) Any firearm listed on the assault-style firearm roster pursuant to section 128A.

161 (e) Any of the following firearms, or copies or duplicates of these firearms, of any  
162 caliber, identified as: (i) Avtomat Kalashnikov, or AK, all models; (ii) Action Arms Israeli  
163 Military Industries UZI and Galil; (iii) Beretta AR70 (SC-70); (iv) Colt AR-15; (v) Fabrique  
164 National FN/FAL, FN/LAR and FNC; (v) SWD M-10, M-11, M-11/9 and M-12; (vi) Steyr

165 AUG; (vii) INTRATEC TEC-9, TEC-DC9 and TEC-22; and (viii) revolving cylinder shotguns  
166 including, but not limited to, the Street Sweeper and Striker 12;

167 (f) a copy or duplicate of any firearm meeting the standards of or enumerated in clauses  
168 (d) and (e); provided, that for the purposes of this subsection, “copy or duplicate” shall mean a  
169 firearm: (A) that was manufactured or subsequently configured with an ability to accept a  
170 detachable magazine; and (B)(i) that has internal functional components that are substantially  
171 similar in construction and configuration to those of an enumerated firearm in clauses (d) and  
172 (e); or (ii) that has a receiver that is the same as or interchangeable with the receiver of an  
173 enumerated firearm in said clauses (d) and (e); provided further, that the firearm shall not be  
174 considered a copy or duplicate of a firearm identified in clauses (d) and (e) if sold, owned and  
175 registered prior to July 20, 2016

176 (g) “Assault-style firearm” shall not include any: (i) firearm that is operated by manual  
177 bolt, pump, lever or slide action; (ii) firearm that has been rendered permanently inoperable or  
178 otherwise rendered permanently unable to be designated as a semiautomatic assault-style  
179 firearm; (iii) firearm that is an antique or relic, theatrical prop or other firearm that is not capable  
180 of firing a projectile and which is not intended for use as a functional firearm and cannot be  
181 readily modified through a combination of available parts into an assault-style firearm; (iv) any  
182 of the firearms, or replicas or duplicates of such firearms, specified in appendix A to 18 U.S.C.  
183 section 922 as appearing in such appendix on September 13, 1994, as such firearms were  
184 manufactured on October 1, 1993; or (v) semiautomatic shotgun that cannot hold more than 5  
185 rounds of ammunition in a fixed or detachable feeding device.

186 “Assemble”, to fit together a firearm’s component parts; provided, however, that  
187 “assemble” shall not include firearm reassembly, repair or the fitting of special barrels, stocks or  
188 trigger mechanisms to firearms.

189 “Automatic conversion”, any modification made to a firearm, including through the use  
190 of an automatic part, that allows for the automatic discharge of more than 1 shot with 1  
191 continuous activation of the trigger or that alters or increases the rate of fire to mimic automatic  
192 fire.

193 “Automatic part”, any device, part or combination of parts capable of being attached to a  
194 firearm that allows for the automatic discharge of more than 1 shot with 1 continuous activation  
195 of the trigger or that increases the rate of fire of a firearm to mimic automatic fire.

196 “Bona fide collector of firearms”, a licensed collector pursuant to 18 U.S.C. section  
197 923(b).

198 SECTION 17. Said section 121 of said chapter 140, as so appearing, is hereby further  
199 amended by inserting after the definition of “Court” the following 2 definitions:-

200 “Covert firearm”, a firearm placed in a camouflaging firearm container, or a firearm that  
201 is not a stun gun, that is capable of discharging a bullet or shot and is constructed in a shape that  
202 does not resemble a firearm or is not immediately recognizable as a firearm, including, but not  
203 limited to, zip guns, concealed bolt guns, folding guns and any other firearm that resemble key-  
204 chains, pens, canes, wallets, flashlights, cigarette-lighters or cigarette-packages, flare guns, pellet  
205 guns and bb gun conversion kits.

206 “Curio or relic firearms”, firearms which are of special interest to collectors because they  
207 possess some qualities not ordinarily associated with firearms intended for sporting use or as  
208 offensive or defensive firearms.

209 SECTION 18. Said section 121 of said chapter 140, as so appearing, is hereby further  
210 amended by striking out the definition of “Deceptive weapon device” and inserting in place  
211 thereof the following definition:-

212 “Deceptive firearm device”, any device that is intended to convey the presence of a  
213 firearm that is used in the commission of a violent crime and that presents an objective threat of  
214 immediate death or serious bodily harm to a person of reasonable and average sensibility.

215 SECTION 19. Said section 121 of said chapter 140, as so appearing, is hereby further  
216 amended by striking out the definition of “Extreme risk protection order” and inserting in place  
217 thereof the following definition:-

218 “Extreme risk protection order”, an order by the court that orders: (i) the immediate  
219 suspension and surrender of any license to carry firearms or firearm identification card that the  
220 respondent may hold; (ii) the respondent to surrender all firearms or ammunition that the  
221 respondent then controls, owns or possesses; and (iii) that the respondent shall be ineligible for  
222 any new license to carry or firearm identification card for the duration of the order; provided,  
223 however, that an extreme risk protection order shall be in effect for up to 1 year from the date of  
224 issuance and may be renewed upon petition.

225 SECTION 20. Said section 121 of said chapter 140, as so appearing, is hereby further  
226 amended by striking out the definitions of “Firearm”, “Gunsmith” and “Imitation firearm” and  
227 inserting in place thereof the following 5 definitions:-

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

230           “Firearm”, a stun gun, pistol, revolver, rifle, shotgun, sawed-off shotgun, large capacity  
231 firearm, assault-style firearm and machine gun, loaded or unloaded, which is designed to or may  
232 readily be converted to expel a shot or bullet; the frame or receiver of any such firearm or the  
233 unfinished frame or receiver of any such firearm; provided, however, that “firearm” shall not  
234 include any antique firearm or permanently inoperable firearm.

235           “Frame”, the part of a pistol or revolver that provides housing or a structure for the  
236 component designed to hold back the hammer, striker, bolt or similar primary energized  
237 component prior to initiation of the firing sequence, even if pins or other attachments are  
238 required to connect such component to the housing or structure. Any such part that is identified  
239 with an importer or manufacturer serial number shall be presumed, absent an official  
240 determination by the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States  
241 Department of Justice or other reliable evidence to the contrary, to be the frame of the firearm.

242           “Gunsmith”, any person who engages in the business of repairing, altering, cleaning,  
243 polishing, engraving, blueing or performing any mechanical operation on any firearm.

244           “Imitation firearm”, any firearm which is designed, manufactured or altered in such a  
245 way as to render it incapable of discharging a shot or bullet.

246           SECTION 21. Said section 121 of said chapter 140, as so appearing, is hereby further  
247 amended by striking out the definition of “Large capacity feeding device” and inserting in place  
248 thereof the following definition:-

249 “Large capacity feeding device”, (i) a fixed or detachable magazine, belt, drum, feed strip  
250 or similar device that has a capacity of, or that can be readily converted to accept, more than 10  
251 rounds of ammunition or more than 5 shotgun shells; or (ii) any part or combination of parts  
252 from which a device can be assembled if those parts are in the possession or control of the same  
253 person; provided, however, that “large capacity feeding device” shall not include: (a) any device  
254 that has been permanently altered so that it cannot accommodate more than 10 rounds of  
255 ammunition or more than 5 shotgun shells; (b) an attached tubular device designed to accept and  
256 capable of operating only with .22 caliber rimfire ammunition; or (c) a tubular magazine that is  
257 contained in a lever-action firearm or on a pump shotgun.

258 SECTION 22. Said section 121 of said chapter 140, as so appearing, is hereby further  
259 amended by striking out the definition of “Large capacity weapon” and inserting in place thereof  
260 the following definition:-

261 “Large capacity firearm”, any firearm that: (i) is semiautomatic with a fixed large  
262 capacity feeding device; (ii) is semiautomatic and capable of accepting, or readily modifiable to  
263 accept, any detachable large capacity feeding device when both are in the same person’s  
264 possession or under their control in a vehicle; (iii) employs a rotating cylinder capable of  
265 accepting more than 10 rounds of ammunition or more than 5 shotgun shells; or (iv) is an  
266 assault-style firearm; provided, however, that “large capacity firearm” shall be a secondary  
267 designation and shall apply to a firearm in addition to its primary designation as a firearm, and  
268 shall not include, any firearm that: (a) operates by manual bolt, pump, lever or slide action; (b) is  
269 a single-shot firearm; (c) has been modified so as to render it permanently inoperable or  
270 otherwise rendered permanently unable to be designated a large capacity firearm; or (d) is an  
271 antique or relic, theatrical prop or other firearm that is not capable of firing a projectile and

272 which is not intended for use as a functional firearm and cannot be readily modified through a  
273 combination of available parts into an operable large capacity firearm.

274 SECTION 23. Said section 121 of said chapter 140, as so appearing, is hereby further  
275 amended by inserting, in line 119, after the word “them” the following words:- ; provided,  
276 however, that should no such chief or officer exist the colonel of the state police or their designee  
277 shall act as the licensing authority.

278 SECTION 24. Said section 121 of said chapter 140, as so appearing, is hereby further  
279 amended by striking out the definition of “Machine gun” and inserting in place thereof the  
280 following 4 definitions:-

281 “Machine gun”, a firearm, loaded or unloaded, which may automatically discharge more  
282 than 1 shot by a continuous activation of the trigger, whether originally manufactured as such or  
283 modified by automatic conversion, including through the use of an automatic part or any firearm,  
284 loaded or unloaded, which has been modified by automatic conversion to alter or increase its rate  
285 of fire to mimic automatic fire; provided, however, that “machine gun” shall include a  
286 submachine gun.

287 “Manufacture”, to fabricate, make, form, produce or construct, by manual labor or by  
288 machinery, a firearm; provided, however, that “manufacture” shall not include firearm  
289 reassembly, firearm repair or the making or fitting of special barrels, stocks or trigger  
290 mechanisms to firearms.

291 “Nonresident”, a person who is temporarily in the commonwealth but legally resides in  
292 another state or territory of the United States.

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

295 SECTION 25. Said section 121 of said chapter 140, as so appearing, is hereby further  
296 amended by striking out the definitions of “Petition” and “Petitioner” and inserting in place  
297 thereof the following 3 definitions:-

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

300 “Petitioner”, as used in sections 131R to 131Y, inclusive, the individual that is filing the  
301 petition and is: (i) a family or household member of the respondent; (ii) the licensing authority of  
302 the municipality wherein the respondent resides; (iii) a law enforcement agency or officer, as  
303 defined in section 1 of chapter 6E that has interacted with the respondent in an official capacity  
304 within the preceding 30 days; (iv) a health care provider that provided health care services to the  
305 respondent within the preceding 6 months; provided, that for the purposes of this clause “health  
306 care provider” shall include a: licensed physician, licensed physician assistant, registered nurse,  
307 licensed practical nurse, certified nurse practitioner, certified clinical nurse specialist, certified  
308 psychiatric clinical nurse specialist, licensed psychiatrist, licensed psychologist, licensed mental  
309 health counselor, licensed marriage and family therapist, licensed alcohol and drug counselor,  
310 licensed independent clinical social worker or licensed certified social worker; or (v) a principal  
311 or assistant principal of an elementary school or secondary school, or an administrator of a  
312 college or university where the respondent is enrolled.

313 “Privately made firearm”, a firearm manufactured or assembled by an individual who is  
314 not a licensed manufacturer; provided, however, that “privately made firearm” shall not include



315 firearms manufactured or assembled by persons licensed under section 122 in the course of their  
316 business activities.

317 SECTION 26. Said section 121 of said chapter 140, as so appearing, is hereby further  
318 amended by striking out the definition of “Respondent” and inserting in place thereof the  
319 following 3 definitions:-

320 “Rapid-fire trigger activator”, any: (i) manual, power-driven or electronic device that is  
321 designed to increase the rate of fire of a semiautomatic firearm when attached; or (ii) other  
322 device, part or combination of parts that are designed to substantially increase the rate of fire of a  
323 semiautomatic firearm above its standard rate of fire when not equipped with such device, part or  
324 combination of parts; provided, however, that this shall not include adjusting or using a device to  
325 adjust the trigger pull weight of a firearm or adjusting or replacing a magazine spring in a  
326 firearm.

327 “Receiver”, the part of a rifle or shotgun that provides housing or a structure for the  
328 primary component designed to block or seal the breech prior to initiation of the firing sequence,  
329 even if pins or other attachments are required to connect such component to the housing or  
330 structure. Any such part that is identified with an importer or manufacturer serial number shall be  
331 presumed, absent an official determination by the Bureau of Alcohol, Tobacco, Firearms and  
332 Explosives in the United States Department of Justice or other reliable evidence to the contrary,  
333 to be the receiver of the firearm.

334 “Respondent”, as used in sections 131R to 131Y, inclusive, the person identified as the  
335 respondent in a petition against whom an extreme risk protection order is sought.

336 SECTION 27. Said section 121 of said chapter 140, as so appearing, is hereby further  
337 amended by striking out, in lines 136, 139, 140 and 147, the word “weapon”, each time it  
338 appears, and inserting in place thereof, in each instance, the following word:- firearm.

339 SECTION 28. Said section 121 of said chapter 140, as so appearing, is hereby further  
340 amended by inserting after the definition of “Sawed-off shotgun” the following 2 definitions:-

341 “Secured in a locked container”, secured in a container that is capable of being unlocked  
342 only by means of a key, combination or similar means, including in an unoccupied motor  
343 vehicle, a locked trunk not accessible from the passenger compartment, a locked console or  
344 locked glovebox and for purposes of a common carrier in the course of the regular and ordinary  
345 transport of firearms, locked access to any area containing firearms.

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

348 SECTION 29. Said section 121 of said chapter 140, as so appearing, is hereby further  
349 amended by inserting after the definition of “Semiautomatic” the following definition:-

350 “Serialization”, the process of conspicuously engraving, casting or otherwise  
351 permanently embedding a unique serial number on a firearm frame or receiver; provided, that the  
352 serial number shall be placed in a manner not susceptible to being readily obliterated, altered or  
353 removed and shall be engraved, cast or otherwise permanently embedded to a depth of not less  
354 than .003 inches and in a print size not less than 1/16 inch; and provided further, that  
355 serialization of firearms, frames and receivers made from non-metallic materials shall be  
356 accomplished by using a metal plate permanently embedded in the material of the frame or  
357 receiver.

358 SECTION 30. Said section 121 of said chapter 140, as so appearing, is hereby further  
359 amended by striking out the definition of “Trigger crank” and inserting in place thereof the  
360 following 5 definitions:-

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

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

369 “Unfinished frame or receiver”, a forging, casting, printing, extrusion, machined body or  
370 similar item that: (i) has reached a stage in manufacture when it may readily be completed or  
371 assembled to function as a frame or receiver; or (ii) is marketed or sold to the public to become  
372 or be used as the frame or receiver of a functional firearm once completed or assembled;  
373 provided, however, that “unfinished frame or receiver” shall not include a component designed  
374 and intended for use in an antique firearm.

375 “Untraceable firearm”, a firearm that has not been serialized or a firearm whose serial or  
376 other identification number has been removed, defaced, altered, obliterated or mutilated in any  
377 manner.

378 “Valid serial number”, an identifying number that has been: (i) placed on a firearm by a  
379 federally licensee authorized to serialize firearms or pursuant to the laws of any state or 26

380 U.S.C. 5842 and the regulations promulgated thereunder; or (ii) a serial number issued by the  
381 director of the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States  
382 Department of Justice or the department of criminal justice information services.

383 SECTION 31. Said section 121 of said chapter 140, as so appearing, is hereby further  
384 amended by striking out lines 175 to 192, inclusive.

385 SECTION 32. Said chapter 140 is hereby further amending by inserting after section  
386 121A the following 5 sections:

387 Section 121B.(a)(1) The department of criminal justice information services shall  
388 develop and maintain a real time electronic firearms registration system. All firearms possessed,  
389 manufactured or assembled in the commonwealth shall be registered in accordance with this  
390 section. Firearm registration shall be completed via the real time electronic firearms registration  
391 system developed and maintained by the department of criminal justice information services and  
392 shall include, but not be limited to, the following information: (i) the registrant's name, address  
393 and contact information; (ii) the registrant's license, card or permit type, license, card or permit  
394 number and expiration date or documentation of exemption pursuant to section 129C; (iii) the  
395 type of firearm; (iv) the date the firearm was acquired; (v) the name and address of the source  
396 from which the firearm was obtained, including the name and address of the prior registrant if  
397 applicable; (vi) whether the firearm is a privately made firearm; and (vii) a statement signed by  
398 the registrant under the pains and penalties of perjury that they are properly licensed, permitted  
399 or exempted under the laws of the commonwealth and are not otherwise prohibited from owning  
400 or possessing a firearm.

401 (2) Firearm registration shall be completed at the time of firearm import, purchase,  
402 acquisition, manufacture or assembly; provided, however, that a firearm may be: (i) registered  
403 within 60 days if imported by a new resident of the commonwealth; (ii) registered within 7 days  
404 if imported by a licensed dealer, gunsmith, distributor or manufacturer; (iii) registered within 60  
405 days if acquired by an heir or devisee through distribution of an estate; or (iv) registered within 7  
406 days if manufactured or assembled as a privately-made firearm

407 (b) All firearm transactions within the commonwealth, including, but not limited to, all  
408 purchases, sales, rentals, leases, loans or other transfers shall be reported to the electronic  
409 firearms registration system. All firearm transactions shall be reported by all parties to the  
410 transaction via the electronic firearms registration system within 7 days of the sale, rental, lease,  
411 loan or other transfer; provided, however, that no report shall be required for a loan of a firearm  
412 to a duly licensed or exempted person for a period of less than 7 days.

413 (c) Any loss or theft of a firearm shall be reported by the owner thereof via the electronic  
414 firearms registration system within 7 days to the licensing authority or the department of state  
415 police where it is registered and the department of criminal justice information services. Such  
416 report shall include, but shall not limited to, a complete description of the firearm, including the  
417 make, model, serial number and caliber and whether it is a large capacity firearm. The electronic  
418 firearms registration system shall provide automatic and immediate notification to the licensing  
419 authority in the town or city where the owner resides and where the license, card or permit was  
420 issued.

421 (d) This section shall not apply to firearms: (i) being delivered to law enforcement for the  
422 sole purpose of their destruction; (ii) possessed by common carriers and their duly authorized

423 employees and agents while performing the regular and ordinary transport of firearms as  
424 merchandise for customers licensed to permit such transport; (iii) possessed by individuals  
425 lawfully traveling through the commonwealth in the care and custody of a nonresident owner;  
426 provided, however, that the firearms are stored in accordance with sections 131C and 131L; (iv)  
427 that are the property of the government of the United States; or (v) produced by federally  
428 licensed manufacturers not for sale in the commonwealth.

429 (e) Whoever fails to register a firearm in violation of subsection (a), or fails to report a  
430 transaction, loss or theft in violation of subsections (b) or (c) shall be punished as follows: (i) by  
431 a fine of not more than \$1,000 for a first offense; (ii) by a fine of not more than \$7,500 or  
432 imprisonment up to 6 months, or by both such fine and imprisonment, for a second offense; or  
433 (iii) by a fine of not more than \$10,000 or imprisonment for not less than 1 year nor more than 5  
434 years, or by both such fine and imprisonment, for a third or subsequent offense. Failure to report  
435 shall also be a cause for suspension or permanent revocation of a person's license, card or  
436 permit.

437 (f) The executive office of public safety and security shall promulgate regulations for the  
438 implementation of this section, which shall include information required for the registration and  
439 reporting of firearms, public notice and an outreach campaign to promote awareness of this  
440 section.

441 Section 121C. (a) All firearms shall have a serial number in accordance with the  
442 requirements of this section. To meet serialization requirements all firearms shall be  
443 conspicuously engraved, cast or otherwise permanently embedded with a unique serial number  
444 on the frame or receiver; provided, that the serial number shall be placed in a manner not

445 susceptible of being readily obliterated, altered or removed and shall be engraved, cast or  
446 otherwise permanently embedded to a depth of not less than .003 inches and in a print size not  
447 less than 1/16 inch; provided further, that the serialization of firearms, frames and receivers made  
448 from non-metallic materials shall be accomplished by using a metal plate permanently embedded  
449 in the material of the frame or receiver.

450 (b) No person shall knowingly possess, manufacture or assemble, cause to be  
451 manufactured or assembled, purchase, offer for sale, sell or otherwise transfer or import an  
452 untraceable firearm in the commonwealth; provided, however, that lawfully owned firearms  
453 imported or acquired by: (i) new residents moving into the commonwealth or acquired by heirs  
454 or devisees through distribution of an estate shall be serialized within 60 days of import or  
455 acquisition; and (ii) licensed firearms dealers, gunsmiths, distributors or manufacturers shall be  
456 serialized within 7 days of import or acquisition.

457 (c) No person shall manufacture or assemble a privately made firearm without: (i)  
458 obtaining a unique serial number from the department of criminal justice information services  
459 prior to manufacture or assembly; (ii) serializing the firearm with the obtained serial number  
460 during manufacture or assembly; and (iii) registering the firearm with the department of criminal  
461 justice information services in accordance with section 121B within 7 days of the firearm's  
462 manufacture or assembly.

463 (d) No person shall manufacture or assemble a privately made firearm that does not  
464 comply with all relevant state and federal safety regulations.

465 (e) The department of criminal justice information services shall develop and maintain a  
466 serial number request system to electronically receive, record and process requests for a unique

467 serial number in accordance with this section. The serial number request system shall be  
468 integrated with the electronic firearms registration system maintained by the department of  
469 criminal justice information services pursuant to section 121B and shall be able to register all  
470 firearms and report firearm transactions pursuant to said section 121B and ensure that all data on  
471 privately made firearms is available for data collection pursuant to section 121E and tracing  
472 purposes pursuant to 131Q.

473 (f) Requests for a unique serial number through the serial number request system shall  
474 include information on the person requesting a unique serial number, whether the request is for a  
475 privately made firearm, the type of firearm to be serialized and, if privately made, the means and  
476 manner of its production.

477 (g) The requirements of this section shall not apply to firearms: (i) being delivered to law  
478 enforcement for the sole purpose of their destruction; (ii) possessed by common carriers and their  
479 duly authorized employees and agents while performing the regular and ordinary transport of  
480 firearms as merchandise for customers licensed to permit such transport; (iii) possessed by  
481 individuals lawfully traveling through the commonwealth in the care and custody of a  
482 nonresident owner provided that the firearms are stored in accordance with sections 131C and  
483 131L; (iv) that are the property of the government of the United States; (v) produced by federally  
484 licensed manufacturers not for sale in the commonwealth; or (vi) manufactured prior to October  
485 22, 1968.

486 (h) The executive office of public safety and security, in consultation with the department  
487 of criminal justice information services, shall promulgate rules and regulations for the  
488 implementation of this section, including technical requirements for the serialization of firearms,



489 procedures for requesting serial numbers and procedures for public notice and an outreach  
490 campaign to promote awareness of this section.

491 Section 121D. (a) No person shall use a 3-dimensional printer or computer numerical  
492 control milling machine to manufacture or assemble any firearm within the commonwealth  
493 without a valid license to carry firearms under section 131.

494 (b) No person shall sell, offer to sell or transfer a 3-dimensional printer or computer  
495 numerical control milling machine that has the primary or intended function of manufacturing or  
496 assembling firearms to any person in the commonwealth. A 3-dimensional printer or computer  
497 numerical milling machine has the primary or intended function of manufacturing or assembling  
498 firearms if the printer or machine is advertised, marketed or promoted to manufacture or  
499 assemble firearms, regardless of whether the printer or machine is otherwise described or  
500 classified as having other functions or as a general-purpose printer or machine.

501 (c) This section shall not apply to 3-dimensional printers or computer numerical control  
502 milling machines that are: (i) possessed by a forensic laboratory; (ii) being delivered to law  
503 enforcement for the sole purpose of their destruction; (iii) possessed by common carriers and  
504 their duly authorized employees and agents while performing the regular and ordinary transport  
505 of firearms as merchandise for customers licensed to permit such transport; (iv) possessed by or  
506 sold to a federally licensed manufacturer of firearms; or (v) the property of the government of the  
507 United States.

508 (d) A violation of this section shall be punishable by imprisonment for not more than 1  
509 year or by a fine of not more than \$5,000 per firearm per violation or both such fine and  
510 imprisonment.

511 Section 121E. (a) The department of criminal justice information services, in  
512 collaboration with the executive office of public safety and security and the executive office of  
513 technology services and security, shall collect, assemble and publish data and other information  
514 relating to the use of firearms in the commonwealth.

515 (b) State and local agencies, including, but not limited to, the department of the state  
516 police, licensing authorities and other criminal justice agencies, as defined in section 167 of  
517 chapter 6, shall provide timely access to information requested by the department of criminal  
518 justice information services pursuant to this section.

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

522 (1) The following aggregate data on the issuance of firearm licenses and cards pursuant to  
523 sections 129B, 131 and 131F:

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

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

527 (iii) the age, gender, race, ethnicity and municipality of applicants for a firearm  
528 identification card; and

529 (iv) the age, gender, race, ethnicity and municipality of individuals whose applications  
530 for a firearm identification card were denied.

531 (2) The following aggregate data on firearm-involved violence, including, but not limited  
532 to, firearm-involved crimes and attempted or completed suicides using firearms:

533 (i) the type of firearm-involved violence, for example, attempted or completed suicide,  
534 homicide, accidental shooting, or other firearm-involved crime;

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

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

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

538 (v) the status of the license of the firearm user;

539 (vi) whether the firearm user, at the time of the incident, would be considered a  
540 prohibited person as described in section 121F;

541 (vii) whether the firearm user was arrested as a result of the incident;

542 (viii) the disposition of any prosecution;

543 (ix) whether the firearm was used in connection with known gang activity, domestic  
544 dispute or police interaction;

545 (x) the make, model, manufacturer and state or country of origin of the involved firearm;

546 (xi) the origin, source and secondary market of the involved firearm, including whether it  
547 was purchased from a licensed dealer or private seller;

548 (xii) whether the involved firearm was lost, stolen or otherwise illegally obtained; and

549 (xiii) whether the involved firearm was untraceable or a privately made firearm,  
550 including the manner in which it was produced.

551 (d) The department of criminal justice information services, in coordination with the  
552 executive office of public safety and security and the executive office of technology services and  
553 security, shall promulgate rules and regulations to ensure prompt collection, exchange, and  
554 publication of the firearm licensing information under this section.

555 Section 121F. (a) A licensing authority shall, within 40 days from the date of receipt of a  
556 completed application for any firearm license, card or permit issued under sections 122, 122B,  
557 122D, 129B, 131 or 131F, or renewal of the same, either approve the application and issue the  
558 permit, card or license or deny the application and notify the applicant of the reason for such  
559 denial in writing; provided, however, that no permit, card or license shall be issued unless the  
560 colonel of the state police has certified that the information available indicates that issuing the  
561 permit, card or license is not in violation of state or federal law.

562 (b) Upon receiving the application, the licensing authority shall provide the applicant  
563 with a receipt that includes: (i) the applicant's name and address, current permit, card or license  
564 number and expiration date, if any; (ii) the date the licensing authority received the application;  
565 (iii) the name, address and telephone number of the licensing authority or its agent that received  
566 the application; (iv) the type of application; and (v) whether the application is for a new permit,  
567 card or license or renewal of the same.

568 (c) Within 7 days of receipt of the completed application the licensing authority shall  
569 forward 1 copy of the application and 1 copy of the applicant's fingerprints to the colonel of the

570 state police; provided, however, that the taking of fingerprints shall not be required in issuing a  
571 renewal if the applicant's fingerprints are on file with the department of the state police.

572 (d) The colonel of the state police shall, within 30 days of receipt of the application and  
573 fingerprints, advise the licensing authority, in writing, of any disqualifying criminal record of the  
574 applicant arising from within or without the commonwealth and whether there is reason to  
575 believe that the applicant is disqualified from possessing the permit, card or license requested. If  
576 the information available to the colonel does not indicate that issuing the permit, card or license  
577 would be in violation of state or federal law, the colonel shall certify such fact to the licensing  
578 authority within said 30-day period. In searching for any disqualifying history of the applicant,  
579 the colonel shall: (i) utilize, or cause to be utilized, files maintained by the department of  
580 probation and statewide and nationwide criminal justice, warrant and protection order  
581 information systems and files including, but not limited to, the National Instant Criminal  
582 Background Check System; and (ii) inquire of the commissioner of the department of mental  
583 health relative to whether the applicant is disqualified from receiving a permit, card or license.

584 (e) The licensing authority shall make inquiries concerning the applicant to: (i) the  
585 commissioner of the department of criminal justice information services relative to any  
586 disqualifying condition, any prior permit, card or license information, any record of restraint and  
587 application for hospitalization pursuant to section 12 of chapter 123, and records of purchases,  
588 sales, rentals, leases and transfers of firearms or ammunition concerning the applicant; (ii) the  
589 commissioner of probation relative to any record contained within the department of probation or  
590 the statewide domestic violence record keeping system concerning the applicant; and (iii) the  
591 commissioner of mental health relative to whether the applicant is a suitable person to possess  
592 firearms; provided, however, that if the department of criminal justice information services

593 provides a record of restraint and application for hospitalization pursuant to said section 12 of  
594 said chapter 123, the licensing authority shall make inquiries to the law enforcement agency that  
595 submitted the record regarding the circumstances of such restraint and application for  
596 hospitalization and shall consider such circumstances when determining the applicant's  
597 suitability for a license, card or permit; provided further, that the applicant may submit for the  
598 licensing authority's consideration, an affidavit of a licensed physician, advanced practice  
599 registered nurse or clinical psychologist attesting that such physician, advanced practice  
600 registered nurse or clinical psychologist is familiar with the applicant's mental illness and that in  
601 the physician's, advanced practice registered nurse's or clinical psychologist's opinion, the  
602 applicant is not impacted by a mental illness in a manner that should prevent the applicant from  
603 possessing a firearm. The director or commissioner to whom the licensing authority makes such  
604 inquiry shall provide prompt and full cooperation for that purpose in any investigation of the  
605 applicant. Any information that an individual has a record of restraint and application for  
606 hospitalization pursuant to said section 12 of said chapter 123 shall be used solely to provide  
607 licensing authorities with information required or permitted to be considered under state or  
608 federal law to conduct background checks for firearm sales or licensing and shall not be  
609 disclosed to any other party for any other purpose.

610 (f) Whoever knowingly files an application for any permit, card or license pursuant to  
611 sections 122, 122B, 122D, 129B, 131 or 131F containing false information or knowingly issues  
612 any such permit, card or license in violation of this chapter shall be punished by a fine of not less  
613 than \$500 nor more than \$1,000 or by imprisonment for not less than 6 months nor more than 2  
614 years in a house of correction, or by both such fine and imprisonment.

615 (g) The application for any license or firearm identification card pursuant to sections 122,  
616 122B, 122D, 129B, 131 or 131F, shall be made in a standard form provided by the commissioner  
617 of the department of criminal justice information services, which shall require the applicant, or  
618 parent or guardian of a minor, to affirmatively state, under the pains and penalties of perjury, that  
619 the applicant is not disqualified on any of the grounds enumerated in this section from being  
620 issued such permit, card or license.

621 (h) A licensing authority shall record in books, forms or electronic files kept for that  
622 purpose on the premises, and on the electronic firearms registration system created by the  
623 department of criminal justice information services pursuant to section 121B when produced or  
624 received, all: (i) license, permit and card applications, receipts, fees, affidavits, license location  
625 transfers and training certificates; (ii) issued licenses, permits and cards, and denials, revocations  
626 and suspensions of the same; (iii) decisions of the firearm licensing review board; and (iv)  
627 firearm transfers, including deliveries, seizures, surrenders, loss or theft or disposals. The  
628 department shall ensure automatic notification to the licensing authority of the existence of any  
629 disqualifying condition discovered or occurring subsequent to the issuance of said permit, card or  
630 license and a notice of the expiration of the same not more than 5 days after the expiration  
631 including the expiration date of the permit, card or license and the name and address of the  
632 licensee.

633 (i) Any permit, card or license issued under sections 122D, 129B, 131 or 131F shall be  
634 issued in a standard form provided by the department of criminal justice information services in  
635 a size and shape equivalent to that of a license to operate motor vehicles issued by the registry of  
636 motor vehicles pursuant to section 8 of chapter 90 and shall be clearly marked with the permit,  
637 card or license name. It shall contain a permit, card or license number, name, address,

638 photograph, fingerprint, place and date of birth, height, weight, hair color, eye color and  
639 signature of the licensee or permit or card holder and shall provide, in a legible font size and  
640 style, the telephone number for the 988 Suicide and Crisis Lifeline.

641 (j) A licensing authority shall deny any application for a permit, card or license issued  
642 under sections 122, 122B, 122D, 129B, 131 or 131F, or renewal thereof, to a person the licensing  
643 authority determines to be a prohibited person. A prohibited person shall be a person who:

644 (i) has ever, in a court of the commonwealth or in any other state or federal jurisdiction,  
645 been convicted or adjudicated as a youthful offender or delinquent child or both, as defined in  
646 section 52 of chapter 119, for the commission of: (A) a felony; (B) a misdemeanor punishable by  
647 imprisonment for more than 2 years; (C) a violent crime as defined in section 121; (D) a  
648 violation of any law regarding the use, possession, ownership or transfer of firearms or  
649 ammunition for which a term of imprisonment may be imposed; (E) a violation of any law of the  
650 commonwealth regulating the use, possession or sale of controlled substances, as defined in  
651 section 1 of chapter 94C, or a violation of any substantially similar law of another state or federal  
652 jurisdiction; or (F) a misdemeanor crime of domestic violence as defined in 18 U.S.C.  
653 921(a)(33); provided, however, that, the commission of a crime described in clauses (B), (D) or  
654 (E) shall only disqualify an applicant for a firearm identification card under section 129B for 5  
655 years after the applicant was convicted or adjudicated or released from confinement, probation or  
656 parole supervision for such conviction or adjudication, whichever occurs later;

657 (ii) is or has been: (A) committed to a hospital or institution for mental illness or alcohol  
658 or substance use disorder, except a commitment pursuant to sections 35 or 36C of chapter 123,  
659 unless after 5 years from the date of the confinement the applicant submits with the application



660 for a permit, card or license an affidavit of a licensed physician or clinical psychologist attesting  
661 familiarity with the applicant's mental illness or alcohol or substance use disorder and that in the  
662 physician's or psychologist's opinion, the applicant is not suffering from a mental illness or  
663 alcohol or substance use disorder in a manner that shall prevent the applicant from possessing a  
664 licensed firearm; (B) committed by a court order to a hospital or institution for mental illness,  
665 unless the applicant was granted a petition for relief of the court order pursuant to said section  
666 36C of said chapter 123 and submits a copy of the court order with the application for a permit,  
667 card or license; (C) subject to an order of the probate court appointing a guardian or conservator  
668 for an incapacitated person on the grounds that the applicant lacks the mental capacity to contract  
669 or manage the applicant's affairs, unless the applicant was granted a petition for relief of the  
670 order of the probate court pursuant to section 56C of chapter 215 and submits a copy of the order  
671 with the application for a permit, card or license ; or (D) found to be a person with an alcohol use  
672 disorder or substance use disorder or both and committed pursuant to said section 35 of said  
673 chapter 123, unless the applicant was granted a petition for relief of the court order pursuant to  
674 said section 35 of said chapter 123 and submits a copy of the court order with the application;

675 (iii) is currently subject to: (A) an order for suspension or surrender issued pursuant to  
676 sections 3B or 3C of chapter 209A; (B) a permanent or temporary protection order issued  
677 pursuant to said chapter 209A; (C) any order described in 18 U.S.C. 922(g)(8); (D) a permanent  
678 or temporary harassment prevention order issued pursuant to chapter 258E; (E) an extreme risk  
679 protection order issued pursuant to sections 131R to and 131Y; or (F) an order similar to the  
680 orders described in clauses (A), (B), (C), (D) or (E) issued by another jurisdiction;

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

683 (v) is not a citizen or national of the United States and does not maintain lawful  
684 permanent residency;

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

687 (vii) is a fugitive from justice.

688 (k) A licensing authority shall deny any application for a permit, card or license under  
689 sections 122, 122B, 122D, 129B, 131 or 131F, or renewal thereof, to a person the licensing  
690 authority determines to be unsuitable to hold a permit, card or license. A determination of  
691 unsuitability shall be based on reliable, articulable and credible information that the applicant has  
692 exhibited or engaged in behavior that suggests that, if issued a permit, card or license, the  
693 applicant may create a risk to public safety or a risk of danger to themselves or others. Upon  
694 denial of an application or renewal of a permit, card or license based on a determination of  
695 unsuitability, the licensing authority shall notify the applicant in writing setting forth the specific  
696 reasons for the determination.

697 (l) In the case of an application or renewal of a firearm identification card under section  
698 129B, a licensing authority shall not have the authority to deny an application on the grounds of  
699 unsuitability but may file a petition requesting that the district court having jurisdiction deny said  
700 application on unsuitability grounds. Such petition shall operate to stay the application and shall  
701 be founded upon a written statement of the reasons for supporting a finding of unsuitability.  
702 Upon filing, a copy of the written petition and statement shall be provided to the applicant by the  
703 licensing authority. The court shall within 90 days of receiving the filed petition hold a hearing  
704 to determine if the applicant for the firearm identification card is unsuitable and enter a judgment

705 on suitability. A determination of unsuitability shall be based on a preponderance of the evidence  
706 that there is reliable, articulable and credible information that the applicant has exhibited or  
707 engaged in behavior that suggests that, if issued a firearm identification card, the applicant may  
708 create a risk to public safety or a risk of danger to self or others. If a court enters a judgment that  
709 an applicant is unsuitable, the court shall notify the applicant in writing setting forth the specific  
710 reasons for such determination. If a court has not entered a judgment that an applicant is  
711 unsuitable within 90 days of the petition, judgment that the applicant is suitable for a firearm  
712 identification card shall be automatically entered.

713 (m) An applicant aggrieved by a denial of a permit, card or license under sections 122,  
714 122B, 122D, 129B, 131 or 131F may appeal the denial pursuant to subsection (v).

715 (n) All application fees for licenses, cards and permits issued under sections 122, 122D,  
716 129B or 131 shall be payable to the issuing licensing authority and shall not be prorated or  
717 refunded in case of revocation or denial. Notwithstanding any general or special law to the  
718 contrary, licensing authorities shall deposit all fees into the specified funds quarterly, not later  
719 than January 1, April 1, July 1 and October 1 of each year.

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

721 (i) any license, card or permit shall be \$100 of which the licensing authority shall retain  
722 \$25 of the fee; \$50 of the fee shall be deposited into the General Fund; provided, that not less  
723 than \$50,000 of the total funds deposited into the General Fund shall be allocated to the firearm  
724 licensing review board, established in 130B, for its operations; and provided further, that any  
725 funds not expended by said board for its operations shall revert back to the General Fund; and

726 \$25 of the fee shall be deposited in the Firearms Fingerprint Identity Verification Trust Fund  
727 established in section 2LLL of chapter 29;

728 (ii) a license to carry firearms issued under section 131 for active and retired law  
729 enforcement officials or local, state or federal government entities acting on their behalf shall be  
730 \$25 of which 50 per center shall be retained by the licensing authority and 50 per cent shall be  
731 deposited into the General Fund; and

732 (iii) a firearm identification card issued under section 129B for persons under 18 years of  
733 age or a self-defense spray permit issued under section 122D shall be \$25 of which 50 per cent  
734 shall be retained by the licensing authority and 50 per cent shall be deposited into the General  
735 Fund.

736 (p) Any person over the age of 70 and any law enforcement officer applying through their  
737 employing agency for renewal of a license to carry firearms or a firearm identification card shall  
738 be exempt from the requirement of paying a renewal fee.

739 (q) Any person with a license to sell under section 122 shall not be assessed any  
740 additional fee for a gunsmith's license.

741 (r) The commissioner of the department of criminal justice information services shall  
742 send electronically or by first class mail to the license, card or permit holder, a notice of the  
743 expiration of the license, card or permit not less than 90 days before its expiration and shall  
744 enclose or provide a website link to a form for its renewal. The form for renewal shall include:

745 (i) an affidavit which shall be completed and returned in order to renew the license, card  
746 or permit in which the applicant shall verify that the applicant has not lost or had stolen any

747 firearm, for a license, card and permit respectively, from the applicant's possession since the date  
748 of the applicant's last renewal or issuance; and

749 (ii) all pertinent information about the penalties and punishments that may be imposed if  
750 the license, card or permit is not renewed and the applicant remains in possession of any  
751 firearms.

752 (s) Notwithstanding any general or special law to the contrary, an expired license to carry  
753 firearms issued under section 131 or an expired firearm identification card issued under section  
754 129B shall remain valid for all lawful purposes if:

755 (i) the licensee or card holder applied for renewal before the license or card expiration  
756 date and shall remain valid until the application for renewal is approved or denied;

757 (ii) the licensee or card holder is on active duty with the armed forces of the United States  
758 on the expiration date of the license or card; provided, that the license or card shall remain valid  
759 until the licensee or card holder is released from active duty and for a period of not less than 180  
760 days following their release; provided, however, that, if the licensee or card holder applied for  
761 renewal prior to the end of that period, the license or card shall remain valid for all lawful  
762 purposes until the application for renewal is approved or denied; or

763 (iii) the expiration period has not yet exceeded 90 days beyond the stated date of  
764 expiration, unless such license to carry or firearm identification card has been revoked or  
765 suspended.

766 (t) Any person in possession of a license to carry issued under sections 131 or firearm  
767 identification card issued under section 129B whose respective license or card is invalid for the

768 sole reason that it has expired, not including licenses and cards that remain valid under  
769 subsection (s), and not otherwise disqualified from renewal upon application, shall be subject to  
770 a fine of not less than \$100 nor more than \$5,000 and section 10 of chapter 269 shall not apply;  
771 provided, however, that this exemption shall not apply if such license or card: (i) has been  
772 revoked or suspended unless such revocation or suspension was caused by failure to give notice  
773 of a change of address; (ii) is the subject of pending revocation or suspension unless such  
774 revocation or suspension was caused by failure to give notice of a change of address; or (iii) has  
775 had an application for renewal denied. Any law enforcement officer who discovers a person to be  
776 in possession of a firearm after such person's license or card has expired, meaning after 90 days  
777 beyond the stated expiration date on the license or card or has been revoked or suspended solely  
778 for failure to given notice of a change of address, shall confiscate such firearm and the expired or  
779 suspended license or card then in possession and such officer shall forward such license or card,  
780 as soon as practical, to the licensing authority that issued the expired license or card. The officer  
781 shall, at the time of confiscation, provide to the person whose firearm has been confiscated, a  
782 written inventory and receipt for all firearms confiscated and the officer shall exercise due care  
783 in the handling, holding and storage of these items. Any confiscated firearm shall be considered  
784 surrendered and subject to the conditions of section 129D; provided, however, that the  
785 confiscated firearm shall be returned to the owner if proof of license or permit reinstatement is  
786 provided within 1 year of confiscation. This subsection shall not apply to temporary licenses to  
787 carry under section 131F.

788 (u)(1) A licensing authority shall revoke or suspend any license, card or permit pursuant  
789 to sections 122, 122B, 122D, 129B, 131 or 131F upon the occurrence of any event which makes  
790 the licensee, card or permit holder a prohibited person as defined subsection (j). A licensing

791 authority may also revoke or suspend any license, card or permit issued pursuant to sections 122,  
792 122B, 122D, 129B, 131 or 131F upon a subsequent determination of unsuitability as defined in  
793 subsection (k) or upon satisfactory proof that the license, card or permit holder has violated or  
794 permitted any violation of this chapter; provided, however, that in the case of a firearm  
795 identification card issued under section 129B, a licensing authority shall file a petition to the  
796 district court for suspension or revocation of said card, and said petition shall effect such  
797 suspension or revocation pending a judicial determination of sufficient evidence of unsuitability,  
798 which the court shall make within 15 days of the filing of the petition, after which the procedures  
799 and standards of subsection (l) shall apply. A licensing authority may revoke or suspend any  
800 license issued under sections 122 or 122B only after due notice to the licensee and reasonable  
801 opportunity to be heard.

802 (2) Any revocation or suspension of a card, permit or license issued under sections 122,  
803 122B, 122D, 129B, 131 or 131F shall be in writing and shall state the reasons for revocation or  
804 suspension. No pendency of proceedings before the court shall operate to stay such revocation or  
805 suspension. Notices of revocation and suspension shall be forwarded to the commissioner of the  
806 department of criminal justice information services and the commissioner of probation and shall  
807 be included in the criminal justice information system. A revoked or suspended permit, card or  
808 license may be reinstated only upon the termination of all disqualifying conditions. If a license to  
809 sell issued under section 122 or section 122B is revoked, the licensee shall be disqualified to  
810 receive a license for 1 year after the expiration of the term of the license so revoked.

811 (v)(1) Any applicant or licensee aggrieved by a denial, revocation or suspension of a  
812 license to sell under section 122 or section 122B may appeal such denial, revocation or  
813 suspension by: (i) applying to the colonel of state police for said license within 10 days of a

814 denial, revocation or suspension, who may direct the licensing authority to grant said license if,  
815 after a hearing, the colonel determines that there were no reasonable grounds for the denial,  
816 suspension or revocation and that the applicant is not barred by law from holding such a license,  
817 or (ii) filing an appeal with the district court having jurisdiction pursuant to paragraph (2) of this  
818 subsection.

819 (2) Any applicant or license, card or permit holder aggrieved by a denial, revocation or  
820 suspension of a permit, card or license issued under sections 122, 122B, 122D, 129B, 131 or  
821 131F may, unless a hearing has previously been held pursuant to section 131S or 131T, chapter  
822 209A or chapter 258E, within either 90 days after receiving notice of the denial, revocation or  
823 suspension or within 90 days after the expiration of the time limit during which the licensing  
824 authority shall respond to the applicant, file a petition to obtain judicial review in the district  
825 court having jurisdiction in the city or town in which the applicant filed the application or in  
826 which the permit, card or license was issued.

827 (3) The district court may order a permit, card or license be issued or reinstated upon a  
828 finding that there was no reasonable ground for denying, suspending or revoking the permit, card  
829 or license and that petitioner is not prohibited by law from possessing the permit, card or license.

830 SECTION 33. Said chapter 140 is hereby further amended by striking out section 122, as  
831 so appearing, and inserting in place thereof the following section:-

832 Section 122. (a) A licensing authority, in accordance with section 121F, may grant or  
833 renew a license to sell, rent, lease, purchase or otherwise transfer firearms and ammunition  
834 therefore, or to be in business as a gunsmith, to any person 21 years of age or older who is



835 neither a prohibited person nor deemed unsuitable to be issued said license pursuant to said  
836 section 121F and who completes the online dealer training classes mandated under section 125.

837 (b) Every license shall specify the street and number of the building where the business is  
838 to be carried on, and the license shall not protect a licensee who carries on their business in any  
839 other place and shall not entitle the owner thereof to possess or carry any firearm or ammunition  
840 outside of the licensed business premises.

841 SECTION 34. Said chapter 140 is hereby further amended by striking out section 122B,  
842 as so appearing, and inserting in place thereof the following section:-

843 Section 122B. (a) Any lawfully incorporated sporting or shooting club shall, upon  
844 application to the licensing authority, and in accordance with section 121F, be eligible to be  
845 licensed to sell or supply ammunition for regulated shooting on their premises, such as for skeet,  
846 target or trap shooting; provided, however, that such club license shall, on behalf of said club, be  
847 issued to and exercised by an officer or duly authorized member of the club who possesses a  
848 license to carry or firearm identification card and who would not be disqualified to receive a  
849 license or card under said section 121F.

850 (b) A club or facility, incorporated under the laws of the commonwealth, with an on-site  
851 shooting range or gallery, may be licensed by the state police, after an investigation, for the  
852 possession, storage and use of large capacity firearms, ammunition therefor and large capacity  
853 feeding devices for use on the premises of the club; provided, however, that not less than 1  
854 shareholder of the club shall be qualified and suitable to be issued a license to carry under  
855 section 121F; and provided further, that such large firearms may be used under the club license  
856 only by a member that possesses a valid license to carry firearms issued pursuant to section 131,

857 or by such other person that the club permits while under the direct supervision of a certified  
858 firearms safety instructor or club member who possesses a valid license to carry firearms.

859 (c) The club shall:

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

863 (ii) not allow the removal of any large capacity firearm from the premises except as  
864 permitted by law in order to: (A) transfer to a licensed dealer; (B) transport to a licensed  
865 gunsmith for repair; (C) transport to target, trap or skeet shoot on the premises of another club  
866 incorporated under the laws of the commonwealth; (D) transport to attend an exhibition or  
867 educational project or event that is sponsored by, conducted under the supervision of or approved  
868 by a public law enforcement agency or a national or state recognized entity that promotes  
869 proficiency in or education about semiautomatic firearms; (E) hunt pursuant to chapter 131; or  
870 (F) surrender the firearm pursuant to section 131O;

871 (iii) secure in a locked container and unload during any lawful transport under section  
872 131C all large capacity firearms or feeding devices kept on the premises when not in use;

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

876 (v) permit the colonel to inspect all firearms owned or possessed by the club upon request  
877 during regular business hours.

878 (d) The secretary of the executive office of public safety may establish such rules and  
879 regulations as the secretary may deem necessary to carry out the provisions of this section.

880 (e) Whoever not being licensed, as provided in section 122 or this section, sells  
881 ammunition within the commonwealth shall be punished by a fine of not less than \$500 nor more  
882 than \$1,000 dollars or by imprisonment for not less than 6 months nor more than 2 years.

883 SECTION 35. Said chapter 140 is hereby further amended by striking out section 122C,  
884 as so appearing, and inserting in place thereof the following section:-

885 Section 122C. (a) Whoever, not being licensed as provided in section 122, sells self-  
886 defense spray shall be punished by a fine of not more than \$1,000 or by imprisonment in a house  
887 of correction for not more than 2 years.

888 (b) Whoever licensed under section 122 sells self-defense spray to a person younger than  
889 18 years of age, if the person younger than 18 years of age does not have a self-defense spray  
890 permit, shall be punished by a fine of not more than \$300.

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

893 SECTION 36. Said chapter 140 is hereby further amended by striking out section 122D,  
894 as so appearing, and inserting in place thereof the following section:-

895 Section 122D. (a) No person under 18 years of age may purchase or possess self-defense  
896 spray without a self-defense spray permit issued by a licensing authority in accordance with  
897 section 121F. A self-defense spray permit shall be valid to purchase and possess self-defense

898 spray, including all chemical mace, pepper spray or other similarly propelled liquid, gas or  
899 powder designed to temporarily incapacitate.

900 (b) A local licensing authority may issue to a person at least 15 years of age but less than  
901 18 years a self-defense spray permit if the person is not a prohibited person or unsuitable under  
902 section 121F. A self-defense spray permit shall be issued for the sole purpose of purchasing and  
903 possessing self-defense spray and shall clearly state that it is valid for such limited purpose only.  
904 This permit may be issued to a person at least 12 years of age but less than 15 years if the person  
905 is not a prohibited person or unsuitable under section 121F and if the applicant submits with their  
906 application a certificate from the applicant's parent or guardian granting permission to apply for  
907 this permit.

908 (c) A self-defense spray permit shall be valid for a period of 3 years and shall expire on  
909 the anniversary of the permit holder's date of birth occurring not less than 3 years nor more than  
910 4 years from the date of issue. Any permit issued to an applicant born on February 29 shall  
911 expire on March 1.

912 (d) A permit holder shall report any change of address via the electronic firearm  
913 registration system administered by the commissioner of the department of criminal justice  
914 information services. Such notification shall be made on the portal within 30 days of its  
915 occurrence. Failure to so notify shall be cause for revocation or suspension of such permit.

916 SECTION 37. Said chapter 140 is hereby further amended by striking out section 123, as  
917 so appearing, and inserting in place thereof the following section:-

918 Section 123. (a) As used in this section "licensee" shall mean a person with a license to  
919 sell under section 122.

920 (b) Licensees shall maintain a business premise that is not a residential dwelling wherein  
921 all transactions shall be conducted and wherein all records shall be kept.

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

926 (d) Licensees shall conspicuously post and distribute at each purchase counter a notice  
927 providing information on: (i) safe transportation and storage of firearms developed and provided  
928 by the department of criminal justice information services, which shall develop and maintain on  
929 its website for download a sign providing such information; and (ii) suicide prevention  
930 information pursuant to subsection (e).

931 (e) The executive office of public safety and security, in collaboration with the  
932 department of public health, shall develop a notice providing information on suicide prevention,  
933 which shall be posted on the executive office's website and posted and distributed in accordance  
934 with subsection (d). Such notice shall include, but not be limited to: (i) information on signs and  
935 symptoms of depression; (ii) state and federal suicide prevention hotlines; and (iii) resources for  
936 individuals at risk of suicide.

937 (f) Prior to any transfer, a licensee shall verify the status of any license, card, permit or  
938 exemption documentation including a verification that the person presenting the license, card,  
939 permit or documentation is the lawful holder thereof. No transfer of any firearm or ammunition  
940 shall be made to any person not in possession of the required license, card, permit or exemption  
941 documentation at the time of the transaction.

942 (g) Upon being presented with an expired, suspended or revoked license, card or permit a  
943 licensee shall: (i) immediately report the attempted transaction to the department of criminal  
944 justice information services using its electronic firearms registration system , including, but not  
945 limited to, all information recorded pursuant to subsection (h); (ii) take possession of such card,  
946 permit or license and immediately forward the same to the licensing authority for the city or  
947 town where the licensee conducts business; (iii) issue the license, card or permit holder a receipt,  
948 in a form provided by the commissioner of the department of criminal justice information  
949 services, which shall state that the holder's license, card or permit is expired, suspended or  
950 revoked, was taken by the licensee, and forwarded to the licensing authority, and which shall be  
951 valid for 90 days for the purpose of providing immunity from prosecution under section 10 of  
952 chapter 269; and (iv) notify the license, card or permit holder of their duty to surrender their  
953 firearms forthwith to their local licensing authority under section 129D. The licensee shall be  
954 immune from civil and criminal liability for good faith compliance with the provisions herein.

955 (h) The licensee shall make and keep an on-site or electronic record of all firearm  
956 transactions and said record shall be open at all times to the inspection of the police. Before  
957 transfer or delivery of any sold, rented, leased or otherwise transferred firearm or ammunition, a  
958 legible entry in the on-site or electronic record shall be made and kept specifying: (i) the  
959 complete description of the firearm and ammunition transferred, including the make, serial  
960 number, type of firearm and designation as a large capacity firearm, if applicable; (ii) whether  
961 the firearm or ammunition has been sold, rented or leased and the date of such transaction; (iii)  
962 the license, permit or card identification number of the person acquiring the firearm, or  
963 ammunition along with their sex, residence address and occupation; and (iv) the purchaser, renter  
964 or lessee's name as personally written by said person in the sales record book and as confirmed

965 by valid state or federal identification. This subsection shall not apply to a gunsmith with regard  
966 to repair or remodeling or servicing of firearms unless said gunsmith has manufactured a firearm  
967 for the purchaser but said gunsmith shall keep records of their work together with the names and  
968 addresses of their customers.

969 (i) Licensees shall, immediately upon notice of any loss or theft of a firearm or  
970 ammunition from the licensee or licensee's business premises immediately report such loss or  
971 theft to the department of criminal justice information services via the electronic firearms  
972 registration system created pursuant to section 121B.

973 (j) A licensee may sell or transfer firearms and ammunition at any regular meeting of an  
974 incorporated collectors club or at a gun show open to the general public; provided, however, that  
975 a licensee shall comply with all other provisions of this section and that such sale or transfer is in  
976 conformity with both federal and state law and regulations.

977 (k) No licensee shall fill an order for any firearm or ammunition received by mail,  
978 facsimile, telephone, internet or other telecommunication unless such transaction includes the in-  
979 person presentation of the required license, card, permit or documentation as required herein  
980 prior to any sale, delivery or any form of transfer or possession. Transactions between federally  
981 licensed dealers shall be exempt from this subsection.

982 (l) Licensees shall ensure that all firearms and ammunition shall be unloaded when  
983 delivered and that delivery shall be only made to a person with the proper license card or permit  
984 or exemption to possess the firearms or ammunition included in the delivery.

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

988 (n) The local licensing authority shall enter the business premises of any licensee at least  
989 once time per calendar year during regular business hours and shall make inquiries and inspect  
990 the licensee's records, inventory, policies and procedures for the purpose of enforcing this  
991 section. Licensees found to be in violation of this section shall be subject to the suspension or  
992 revocation of their license to sell. The department of state police may assume licensing  
993 responsibilities of a local licensing authority for the calendar year if a written request is provided  
994 at least 6 months in advance of any required inspection. Upon the failure of a local licensing  
995 authority to inspect licensees in accordance with this subsection the department of state police  
996 may become the inspecting authority. The executive office of public safety and security shall  
997 promulgate rules and regulations to effectuate the purposes of this subsection,. which shall  
998 include, but not be limited to: (i) inspection timing, procedure, standards and reporting  
999 requirements; (ii) procedures and penalties for licensee violations and re-inspections; and (iii)  
1000 processes and standards for a local licensing authority requesting or removing inspection  
1001 responsibilities to the department of state police or failing to inspect as mandated by this  
1002 subsection. Nothing herein shall prohibit any other law enforcement agency from conducting  
1003 such inspections pursuant to a valid search warrant issued by a court of competent jurisdiction.

1004 (o) No licensee under section 122 shall sell, rent, lease or otherwise transfer any firearm  
1005 described in this subsection except to a business entity that is primarily a firearm wholesaler, and  
1006 such transfer shall, by its terms, prohibit the purchaser from reselling such firearm to a firearm  
1007 retailer or consumer in the commonwealth. This subsection shall apply to:



1008 (i) a firearm that has a frame, barrel, cylinder, slide or breechblock that is composed of:  
1009 (A) any metal having a melting point of less than 900 degrees Fahrenheit; (B) any metal having  
1010 an ultimate tensile strength of less than 55,000 pounds per square inch; or (C) any powdered  
1011 metal having a density of less than 7.5 grams per cubic centimeter. This clause shall not apply to  
1012 any make and model of a firearm for which a sample of 3 firearms in new condition all pass the  
1013 following test: each of the 3 samples shall fire 600 rounds, stopping every 100 rounds to tighten  
1014 any loose screws and to clean the gun if required by the cleaning schedule in the user manual,  
1015 and as needed to refill the empty magazine or cylinder to capacity before continuing. For any  
1016 firearm that is loaded in a manner other than via a detachable magazine, the tester shall also  
1017 pause every 50 rounds for 10 minutes. The ammunition used shall be the type recommended by  
1018 the firearm manufacturer in its user manual or, if none is recommended, any standard of  
1019 ammunition of the correct caliber in new condition. A firearm shall pass this test if it fires the  
1020 first 20 rounds without a malfunction, fires the full 600 rounds with not more than 6  
1021 malfunctions and completes the test without any crack or breakage of an operating part of the  
1022 firearm that does not increase the danger of injury to the user. For purposes of this clause  
1023 “malfunction” shall mean any failure to feed, chamber, fire, extract or eject a round or any  
1024 failure to accept or eject a magazine or any other failure which prevents the firearm, without  
1025 manual intervention beyond that needed for routine firing and periodic reloading, from firing the  
1026 chambered round or moving a new round into position so that the firearm is capable of firing the  
1027 new round properly. “Malfunction” shall not include a misfire caused by a faulty cartridge the  
1028 primer of which fails to detonate when properly struck by the firearm’s firing mechanism;

1029 (ii) a firearm that is prone to accidental discharge, which, for purposes of this clause,  
1030 shall mean any make and model of firearm for which a sample of 5 firearms in new condition all

1031 undergo, and none discharge during, the following test: each of the 5 sample firearms shall be:  
1032 (A) test loaded; (B) set so that the firearm is in a condition such that pulling the trigger and  
1033 taking any action that shall simultaneously accompany the pulling of the trigger as part of the  
1034 firing procedure would fire the firearm; and (C) dropped onto a solid slab of concrete from a  
1035 height of 1 meter from each of the following positions: (1) normal firing position; (2) upside  
1036 down; (3) on grip; (4) on the muzzle; (5) on either side; and (6) on the exposed hammer or striker  
1037 or, if there is no exposed hammer or striker, the rearmost part of the firearm. If the firearm is  
1038 designed so that its hammer or striker may be set in other positions, each sample firearm shall be  
1039 tested as above with the hammer or striker in each such position but otherwise in such condition  
1040 that pulling the trigger and taking any action that shall simultaneously accompany the pulling of  
1041 the trigger as part of the firing procedure, would fire the firearm. Alternatively, the tester may  
1042 use additional sample firearms of the same make and model, in a similar condition, for the test of  
1043 each of these hammer striker settings;

1044 (iii) a firearm that is prone to: (A) firing more than once per pull of trigger; or (B)  
1045 explosion during firing; and

1046 (iv) a firearm that has a barrel less than 3 inches in length, unless the licensee discloses in  
1047 writing, prior to the transaction, to the prospective buyer, lessee or transferee the limitations of  
1048 the accuracy of the particular make and model of the subject firearm, by disclosing the make and  
1049 model's average group diameter test result at 7 yards, average group diameter test result at 14  
1050 yards and average group diameter test result at 21 yards. For purpose of this clause, "average  
1051 group diameter test result" shall mean the arithmetic mean of three separate trials, each  
1052 performed as follows on a different sample firearm in new condition of the make and model at  
1053 issue. Each firearm shall fire 5 rounds at a target from a set distance and the largest spread in

1054 inches between the centers of any of the holes made in the test target shall be measured and  
1055 recorded. This procedure shall be repeated 2 more times on the firearm. The arithmetic mean of  
1056 each of the 3 recorded results shall be deemed the result of the trial for that particular sample  
1057 firearm. The ammunition used shall be the type recommended by the firearm manufacturer in its  
1058 user manual, if none is recommended, any standard ammunition of the correct caliber in new  
1059 condition.

1060 (p) Subsection (o) shall not apply to: (i) a firearm lawfully owned or possessed under a  
1061 license issued under this chapter on or before October 21, 1998; (ii) a stun gun; or (iii) a firearm  
1062 designated by the secretary of public safety, with the advice of the firearm control advisory  
1063 board, established pursuant to section 131½, as a firearm solely designed and sold for formal  
1064 target shooting competition or for Olympic shooting competition and listed on the rosters  
1065 pursuant to section 131¾.

1066 SECTION 38. Said chapter 140 is hereby further amended by striking out section 125, as  
1067 so appearing, and inserting in place thereof the following section:-

1068 Section 125. (a) Licensing authorities shall participate in training seminars as prescribed  
1069 by the executive office of public safety and security, which shall include, but shall not be limited  
1070 to, instruction on: (i) current laws, regulations and rules relating to this chapter; (ii) licensing  
1071 responsibilities; (iii) record keeping obligations; (iv) firearm surrender, registration and tracing;  
1072 (v) responsibilities and requirements regarding the annual inspection of establishments licensed  
1073 under section 122; and (v) electronic database use.

1074 (b) Any person making an application for the issuance of a license to sell or renewal  
1075 thereof under section 122 shall, in addition to the requirements set forth in this chapter, complete

1076 a dealer training program developed and offered online by the executive office of public safety  
1077 and security. No application for the issuance of a license to sell shall be accepted or processed by  
1078 the licensing authority without a certification of program completion.

1079 (c) The curriculum for the training program pursuant to subsection (b) shall include: (i)  
1080 uniform standards of security for business premises; (ii) employee background check and  
1081 training requirements; and (iii) information on requirements and conditions contained in chapter  
1082 140, and other laws the executive office, in its discretion, deems relevant.

1083 (d) The executive office of public safety and security shall promulgate rules and  
1084 regulations to implement this section.

1085 SECTION 39. Section 126 of said chapter 140, as so appearing, is hereby amended by  
1086 striking out, in lines 3 and 4 and lines 6 and 7, each time they appear, the words “, rifles,  
1087 shotguns or machine guns”.

1088 SECTION 40. Section 128 of said chapter 140, as so appearing, is hereby amended by  
1089 striking out the first paragraph and inserting in place thereof the following paragraph:

1090 Whoever, licensed under section 122 or 122B, sells or furnishes a firearm or ammunition  
1091 to any person without a firearm license card or permit shall have their license revoked and shall  
1092 not be entitled to apply for such license for 10 years from the date of such revocation and shall  
1093 be punished by a fine of not less than \$1,000 nor more than \$10,000, by imprisonment in a state  
1094 prison for not more than 10 years or house of correction for not more than 2½ years or by both  
1095 such fine and imprisonment; provided, however, that a valid permit to purchase issued under  
1096 section 131A may permit certain firearm transfers to persons over 18 years of age. Any person  
1097 who, without being licensed under section 122 or exempt as provided under section 129C, sells,

1098 rents, leases or otherwise transfers a firearm, or is engaged in business as a gunsmith, shall be  
1099 punished by a fine of not less than \$1,000 nor more than \$10,000, or by imprisonment for not  
1100 less than 1 year nor more than 10 years, or by both such fine and imprisonment. Evidence that a  
1101 person sold or attempted to sell a machine gun shall constitute prima facie evidence that such  
1102 person is engaged in the business of selling machine guns.

1103 SECTION 41. Said chapter 140 is hereby further amended by striking out section 128A,  
1104 as so appearing, and inserting in place thereof the following section:-

1105 Section 128A. (a) A person with a license to carry under section 131 may sell or transfer  
1106 firearms and ammunition and a person with a firearm identification card under section 129B may  
1107 sell or transfer rifles and shotguns that are not large capacity or semiautomatic and ammunition  
1108 to: (i) a person with a license to sell issued under section 122; (ii) a federally licensed firearms  
1109 dealer; or (iii) a federal, state or local historical society, museum or institutional collection open  
1110 to the public, without an annual limit on transfers.

1111 (b) A person with a license to carry under section 131 may sell or transfer firearms and  
1112 ammunition therefor and a person with a firearm identification card under section 129B may sell  
1113 or transfer rifles and shotguns that are not large capacity or semi-automatic and ammunition  
1114 therefor to the following; provided, however, that no more than 4 firearm transfers shall occur  
1115 per calendar year:

1116 (i) a person with a license to carry under section 131;

1117 (ii) an exempted person if permitted under section 129C; and

1118 (iii) a person with a firearm identification card under section 129B; provided, however,  
1119 that for transfers and purchases of firearms that are not rifles and shotguns that are not large  
1120 capacity or semiautomatic, the transferee shall also have a valid permit to purchase under section  
1121 131A.

1122 (c) An heir or devisee upon the death of a firearm or ammunition owner, a person in the  
1123 military, police officers and other peace officers, a veteran's organization and historical society,  
1124 museums and institutional collections open to the public may:

1125 (i) sell or transfer firearms and ammunition therefor, to a federally licensed firearms  
1126 dealer, or a federal, state or local historical society, museum or institutional collection open to  
1127 the public; and

1128 (ii) sell or transfer no more than 4 firearms and ammunition therefor per calendar year to:  
1129 (A) a person with a license to carry under section 131; (B) an exempted person under section  
1130 129C; or (C) a person with a firearm identification card under section 129B; provided, however,  
1131 that for transfers and purchases of firearms that are not rifles and shotguns that are not large  
1132 capacity or semi-automatic, the transferee shall have a valid permit to purchase under section  
1133 131A.

1134 (d) A person with a license to carry under section 131 may purchase or transfer firearms  
1135 and ammunition therefor from a dealer licensed under section 122 or a person permitted to sell  
1136 under this section.

1137 (e) A person with a firearm identification card under section 129B who is over 18 years  
1138 of age may purchase or transfer rifles and shotguns that are not large capacity or semi-automatic

1139 and ammunition therefor from a dealer licensed under section 122 or a person permitted to sell  
1140 under this section.

1141 (f) A bona fide collector of firearms may purchase a firearm that was not previously  
1142 owned or registered in the commonwealth from a dealer licensed under section 122 if it is a curio  
1143 or relic firearm as defined in section 121.

1144 (g) All purchases, sales or transfers of a firearm permitted under this section shall, prior  
1145 to or at the point of sale, be conducted through the electronic firearms registration system  
1146 pursuant to section 121B. The department of criminal justice information services shall require  
1147 each person selling or transferring a firearm pursuant to this section to electronically provide,  
1148 through the electronic firearms registration system, such information as is determined to be  
1149 necessary to verify the identification of the seller and purchaser and ensure that the sale or  
1150 transfer complies with this section. Upon submission of the required information, the electronic  
1151 firearms registration system shall automatically review such information and display a message  
1152 indicating whether the seller may proceed with the sale or transfer and shall provide any further  
1153 instructions for the seller as determined to be necessary by the department of criminal justice  
1154 information services. The electronic firearms registration system shall keep a record of any sale  
1155 or transfer conducted pursuant to this section and shall provide the seller and purchaser with  
1156 verification of such sale or transfer.

1157 SECTION 42. Said chapter 140 is hereby further amended by striking out section 128B,  
1158 as so appearing, and inserting in place thereof the following section:-

1159 Section 128B. Any resident of the commonwealth who purchases or obtains a firearm  
1160 from any source within or without the commonwealth, other than from a licensee under section

1161 one 122 or a person authorized to sell firearms under section 128A, and any nonresident of the  
1162 commonwealth who purchases or obtains a firearm from any source within or without the  
1163 commonwealth, other than such a licensee or person, and receives such firearm within the  
1164 commonwealth, shall register such firearm and report such information required under sections  
1165 121B and 121C. Whoever violates any provision of this section shall for the first offense be  
1166 punished by a fine of not less than \$500 nor more than \$1,000 and for any subsequent offense by  
1167 imprisonment in the state prison for not more than 10 years.

1168 SECTION 43. Section 129 of said chapter 140, as so appearing, is hereby amended by  
1169 striking out, in lines 1 to 3, inclusive, the words “, renting or hiring a firearm, rifle, shotgun or  
1170 machine gun, or in making application for any form of license or permit” and inserting in place  
1171 thereof the following words:- “or renting a firearm, or in making application for any form of  
1172 license, card or permit”.

1173 SECTION 44. Said chapter 140 is hereby further amended by striking out section 129B,  
1174 as so appearing, and inserting in place thereof the following section:-

1175 Section 129B. A firearm identification card shall be issued and possessed subject to the  
1176 following conditions and restrictions:

1177 (a) Any lawful resident 18 years of age or older residing within the jurisdiction of the  
1178 licensing authority or residing in an area of exclusive federal jurisdiction located within a city or  
1179 town may submit to the licensing authority an application for a firearm identification card, or  
1180 renewal of the same, which the licensing authority shall issue pursuant to section 121F if it  
1181 appears that the applicant is neither a prohibited person nor determined to be unsuitable to be  
1182 issued a card as set forth in said section; provided, however, that a person aged 15 years or older,



1183 but less than 18 years of age, may submit an application for a firearm identification card and  
1184 shall be issued the same only if the applicant meets the requirements of said section 121F and  
1185 and submits with the application a certificate of a parent or guardian granting the applicant  
1186 permission to apply for the card. A person 14 years of age may submit an application for a  
1187 firearm identification card but the applicant shall not be issued the card until the applicant  
1188 reaches 15 years of age and at that time meetings the standards and requirements under this  
1189 subsection.

1190 (b) No card shall be issued under this section unless the applicant submits with their  
1191 application a basic firearms safety certificate or other certificate meeting the requirements of  
1192 section 131P.

1193 (c) A firearm identification card shall entitle a holder thereof to purchase, transfer,  
1194 possess and carry rifles and shotguns that are not large capacity or semi-automatic, and the  
1195 ammunition therefore. A firearm identification card shall not entitle a holder thereof to transfer,  
1196 possess or carry any other firearm including any large capacity firearm, any large capacity or  
1197 semiautomatic rifle or any large capacity or semiautomatic shotgun except under the direct  
1198 supervision of a holder of a license to carry firearms at an incorporated shooting club or a  
1199 licensed shooting range. Except as otherwise provided herein, a firearm identification card shall  
1200 not be valid for the use, possession, ownership, transfer, purchase, sale, lease, rental or  
1201 transportation of any large capacity firearm.

1202 (d) A firearm identification card shall be valid, unless revoked or suspended, for a period  
1203 of not more than 6 years from the date of issuance and shall expire on the anniversary of the card

1204 holder's date of birth occurring not less than 5 years nor more than 6 years from the date of issue  
1205 a card issued on February 29 shall expire on March 1.

1206 (e) The holder of a firearm identification card shall report any change of address via the  
1207 electronic firearm registration system administered by the commissioner of the department of  
1208 criminal justice services. Such notification shall be made on the portal within 30 days of its  
1209 occurrence. Failure to so notify shall be cause for revocation or suspension of such card.

1210 (f) The secretary of the executive office of public safety, or a designee, may promulgate  
1211 regulations to carry out the purposes of this section.

1212 SECTION 45. Said chapter 140 is hereby further amended by striking out section 129C,  
1213 as so appearing, and inserting in place thereof the following section:-

1214 Section 129C. (a) Possession of a firearm or ammunition for a particular purpose and  
1215 limited time without being duly issued a license, permit or card under sections 129B, 131, 131A  
1216 or 131F shall be permitted by: (i) a person voluntarily surrendering the firearm or ammunition to  
1217 the colonel of the state police pursuant to section 131O, (ii) a resident of the commonwealth  
1218 returning after having been absent from the commonwealth for not less than 180 consecutive  
1219 days or any new resident moving to the commonwealth, only with respect to any firearm or  
1220 ammunition then in their possession prior to moving or return and only for 60 days after such  
1221 return or entry into the commonwealth; or (iii) an heir or devisee upon the death of the legal  
1222 owner of the firearm or the ammunition for not more than 60 days after said firearm or  
1223 ammunition is transferred into their possession and who shall also be permitted to sell or  
1224 otherwise transfer said firearm or ammunition to a duly licensed person within this time period  
1225 pursuant to section 128A.

1226 (b) Possession of a firearm or ammunition while under direct supervision of an individual  
1227 holding a license or card under section 129B, 131 or 131F and only for a particular purpose and  
1228 limited time without being duly licensed or permitted under said sections 129B, 131 or 131F is  
1229 permitted by: (i) a retail customer for the purpose of firing at duly licensed target concessions at  
1230 amusement parks, piers and similar locations; provided, that the firearms to be so used shall be  
1231 firmly chained or affixed to the counter and shall be under the direct supervision of a proprietor  
1232 or employee thereof who holds the necessary license or card; (ii) a professional photographer or  
1233 writer for examination purposes while in the pursuit of their profession or during the course of  
1234 any television, movie, stage or other similar theatrical production; provided, that they are at all  
1235 times under the immediate supervision of a holder of a license to carry or, in the case of rifles  
1236 and shotguns that are not large capacity or semi-automatic, a firearm identification card; or (iii) a  
1237 person in the presence of a holder of the necessary license or card for the purpose of  
1238 examination, trial or instruction.

1239 (c) Common carriers and their duly authorized employees and agents may possess  
1240 firearms and ammunition therefor without holding the necessary license or card under sections  
1241 129B, 131 or 131F while performing the regular and ordinary transport of firearms and  
1242 ammunition as merchandise for customers duly licensed to permit such transport and so long as  
1243 they abide by all storage and transportation requirements set forth in sections 131C and 131L.

1244 (d) Notwithstanding section 131B, banks or institutional lenders and their duly authorized  
1245 employees and agents, may possess and transfer non large capacity firearms and ammunition  
1246 therefor as collateral for a secured commercial transaction or because of a default thereof without  
1247 holding the necessary license or card under said sections 129B, 131 or 131F.

1248 (e) Other organizations and their duly authorized employees and agents, may purchase,  
1249 transfer and possess as so indicated in this subsection non large capacity firearms and  
1250 ammunition therefor for a particular purpose and limited time without holding the necessary  
1251 license or card under sections 129D, 131 or 131F if they are: (i) a federally licensed firearms  
1252 manufacturer or wholesale dealer or their employees or agents who may possess firearms and  
1253 ammunition therefor when their possession is necessary for manufacture, display, storage,  
1254 transport, installation, inspection or testing; (ii) federal, state and local historical societies,  
1255 museums and institutional collections open to the public who may possess firearms and  
1256 ammunition therefor; provided, that such firearms shall be unloaded and properly housed and  
1257 secured from unauthorized handling; provided further that the requirements for sales in section  
1258 128A are met; or (iii) a veteran's organization chartered by the congress of the United States,  
1259 chartered by the commonwealth or recognized as a nonprofit tax-exempt organization by the  
1260 internal revenue service and its members who may possess firearms and ammunition; provided,  
1261 however, that members may only possess unloaded large capacity rifles or unloaded large  
1262 capacity shotguns or large capacity rifles or large capacity shotguns that are loaded with blank  
1263 cartridges and which contain no projectile within the blank or the bore or chamber; and provided  
1264 further, that all possession by members of veteran's organizations shall be limited to official  
1265 parade duty or ceremonial occasions.

1266 (f) A person in the military or other service of any state or of the United States, and  
1267 police officers and other peace officers of any jurisdiction, who may purchase, sell or otherwise  
1268 transfer and possess non-large capacity firearms and ammunition therefor without holding a  
1269 license or card under sections 129D, 131 or 131F while in the performance of their official duty  
1270 or when duly authorized to possess them by their employing agency; provided, that the

1271 requirements for sales in section 128A are met. Upon purchase, a person exempted under this  
1272 subsection shall submit to the seller full and clear proof of identification, including shield  
1273 number, serial number, military or governmental order or authorization, military or other official  
1274 identification, as applicable.

1275 (g) A person may furnish a minor or person under 21 years of age with a firearm and  
1276 ammunition for hunting, instruction, recreation and participation in shooting sports provided that  
1277 the person furnishing the firearm and ammunition holds the appropriate license, permit or card,  
1278 or is a duly commissioned officer, noncommissioned officer or enlisted member of the United  
1279 States army, navy, marine corps, air force or coast guard, or the national guard or military service  
1280 of the commonwealth or reserve components thereof, while in performance of their duty

1281 (h) No license, permit or card under this chapter shall be required for a legal resident of  
1282 the commonwealth over the age of 18 to carry or possess: (i) a firearm known as a detonator and  
1283 commonly used on vehicles as a signaling and marking device and only when carried or  
1284 possessed for such purposes; or (ii) any device used exclusively for signaling or distress use and  
1285 required or recommended by the United States Coast Guard or the Interstate Commerce  
1286 Commission, or for the firing of stud cartridges, explosive rivets or similar industrial  
1287 ammunition.

1288 (i) A nonresident who is at least 18 years of age may possess rifles and shotguns that are  
1289 not large capacity or semi-automatic and ammunition therefor if the nonresident has a permit,  
1290 card or license issued from their state of residence which has substantially similar requirements  
1291 to those of the commonwealth for a firearm identification card as determined by the colonel of  
1292 the state police pursuant to subsection (l)

1293 (j) A nonresident who is at least 18 years of age may possess rifles and shotguns that are  
1294 not large capacity or semi-automatic and ammunition therefor: (i) to hunt during hunting season  
1295 with a nonresident hunting license or a hunting license or permit lawfully issued from their state  
1296 of residence, which has substantially similar requirements to those in section 11 of chapter 131,  
1297 as determined by the colonel of the state police pursuant to subsection (l); (ii) while on a firing or  
1298 shooting range; (iii) while traveling in or through the commonwealth; provided, that the rifles  
1299 and shotguns that are not large capacity or semi-automatic shall be unloaded and in a locked  
1300 container pursuant to sections 131C and 131L; or (iv) while at a firearm showing or display  
1301 organized by a regularly existing gun collectors' club or association.

1302 (k) A nonresident may carry a firearm on their person while in a vehicle lawfully  
1303 traveling through the commonwealth; provided, however, that the firearm shall remain in the  
1304 vehicle and if the firearm is outside its owner's direct control it shall be stored in the vehicle in  
1305 accordance with section 131C.

1306 (l) The colonel of the state police shall determine those states with substantially similar  
1307 requirements to those of the commonwealth for a firearm identification card under section 129C  
1308 and a hunting license under section 11 of chapter 131 and shall annually publish a list of those  
1309 states.

1310 (m) Nothing in this section shall supersede the firearm registration and serialization  
1311 requirements pursuant to sections 121B and 121C.

1312 SECTION 46. Said chapter 140 is hereby further amended by striking out section 129D,  
1313 as so appearing, and inserting in place thereof the following section:-

1314 Section 129D. (a) Upon revocation, suspension or denial of an application for any license  
1315 or card issued pursuant to sections 129B, 131 or 131F the person whose application was so  
1316 revoked, suspended or denied shall, without delay, deliver or surrender to the licensing authority  
1317 where the person resides all firearms or ammunition which are registered to the person or that the  
1318 person then possesses and shall report such delivery or surrender to the electronic firearms  
1319 registration system pursuant to section 121B. The person or the person's legal representative  
1320 shall have the right, at any time up to 1 year after the delivery or surrender, to transfer the  
1321 firearms and ammunition, notwithstanding the limits on private firearm transfers in section  
1322 128A, to a licensed dealer or to a person legally permitted to purchase or take possession of the  
1323 firearms and ammunition and, upon notification in writing by the purchaser or transferee and the  
1324 former owner, the licensing authority shall within 10 days deliver the firearms and ammunition  
1325 to the transferee or purchaser and the licensing authority shall observe due care in the receipt and  
1326 holding of any such firearm or ammunition; provided, however, that the purchaser or transferee  
1327 shall affirm in writing that the purchaser or transferee shall not transfer the firearms or  
1328 ammunition to the former owner; provided, however, that such transfer shall not be permitted if  
1329 the firearm may be evidence in any pending criminal investigation. The licensing authority shall  
1330 at the time of delivery or surrender inform the person in writing of their right to request a transfer  
1331 in accordance with this paragraph.

1332 (b) The licensing authority, after taking possession of any firearm or ammunition by any  
1333 means, may transfer possession for storage purposes to a federally licensed firearms dealer who  
1334 operates a bonded warehouse on the licensed premises that is equipped with a safe for the secure  
1335 storage of firearms and a weapon box or similar container for the secure storage of ammunition;  
1336 provided, however, that the licensing authority shall not transfer to such dealer possession of any

1337 firearm or ammunition that may be evidence in any pending criminal investigation. Any such  
1338 dealer that takes possession of a firearm or ammunition pursuant to this section shall: (i) inspect  
1339 the firearm or ammunition; (ii) issue to the owner a receipt indicating the make, model, caliber,  
1340 serial number and condition of each firearm or ammunition so received; and (iii) store and  
1341 maintain all firearms and ammunition so received in accordance with such regulations, rules or  
1342 guidelines as the secretary of the executive office of public safety and security may establish  
1343 under this section. The owner shall be liable to such dealer for reasonable storage charges.

1344 (c) Firearms and ammunition not disposed of within 1 year of delivery or surrender  
1345 pursuant to this section shall be sold at public auction by the colonel of the state police to the  
1346 highest bidding person legally permitted to purchase and possess said firearms and ammunition  
1347 and the proceeds shall be remitted to the General Fund.

1348 (d) Any such firearm or ammunition that is stored and maintained by a licensed dealer  
1349 may be so auctioned pursuant to subsection (c) at the direction of: (i) the licensing authority at  
1350 the expiration of 1 year following initial surrender or delivery to such licensing authority; or (ii)  
1351 the dealer then in possession, if the storage charges for such firearm or ammunition have been in  
1352 arrears for 90 days; provided, however, that in either case, title shall pass to the licensed dealer  
1353 for the purpose of transferring ownership to the auctioneer; provided further, that in either case,  
1354 after deduction and payment for storage charges and all necessary costs associated with such  
1355 surrender and transfer, all surplus proceeds, if any, shall be immediately returned to the owner of  
1356 such firearm or ammunition; provided, however, that any firearm or ammunition identified  
1357 pursuant to section 131Q as having been used to carry out a criminal act and any firearm or  
1358 ammunition prohibited by law from being owned or possessed within the commonwealth shall



1359 not be sold at public auction pursuant to this section and shall instead be destroyed by the colonel  
1360 of the state police.

1361 (e) Unless otherwise required in this chapter, if the licensing authority cannot reasonably  
1362 ascertain a lawful owner within 180 days of acquisition by the licensing authority, the licensing  
1363 authority may, in its discretion, trade or dispose of surplus, donated, abandoned or junk firearms  
1364 or ammunition to properly licensed distributors or firearms dealers. The proceeds of the sale or  
1365 transfer shall be remitted or credited to the municipality in which the licensing authority presides  
1366 to purchase firearms, equipment or supplies or for violence reduction or suicide prevention;  
1367 provided, however, that no firearm or ammunition identified pursuant to section 131Q as having  
1368 been used to carry out a criminal act shall be considered surplus, donated, abandoned or junk for  
1369 the purposes of this section.

1370 (f) The licensing authority shall report the delivery or surrender or seizure of firearms and  
1371 ammunition pursuant to sections 131R to 131Y, inclusive, to the department of criminal justice  
1372 information services via the electronic firearms registration system. The report shall include the  
1373 following information: (i) date of delivery, surrender or seizure; (ii) make, model, serial number  
1374 and caliber of the firearm delivered, surrendered or seized and any identifying information for  
1375 ammunition delivered, surrendered or seized; (iii) grounds for surrender or seizure; (iv) whether  
1376 the firearm or ammunition is prohibited by law from being owned or possessed in the  
1377 commonwealth; (v) whether the firearm or ammunition was classified as having been used to  
1378 carry out a criminal act; (vi) information on the possession, storage, transfer, sale and any  
1379 income derived therefrom; and (vii) the destruction or other disposition of the firearm or  
1380 ammunition. Upon submission of this information, the system shall automatically report back to

1381 the licensing authority whether the firearm is registered, serialized, reported lost or stolen or  
1382 potential evidence in a pending criminal investigation.

1383 (g) The secretary of the executive office of public safety and security may promulgate  
1384 rules and regulations as necessary to carry out this section.

1385 SECTION 47. Section 130 of said chapter 140 is hereby repealed.

1386 SECTION 48. Section 130½ of said chapter 140, as so appearing in the 2022 Official  
1387 Edition, is hereby amended by striking out, in lines 2 and 5, the word “weapon” and inserting in  
1388 place thereof, in each instance, the following word:- firearm.

1389 SECTION 49. Said chapter 140 is hereby further amended by striking out section 131, as  
1390 so appearing, and inserting in place thereof the following section:-

1391 Section 131. The issuance and possession of a license to carry firearms shall be subject to  
1392 the following conditions and restrictions:

1393 (a) A license shall entitle a holder thereof of a license to purchase, rent, lease, borrow,  
1394 possess and carry firearms, including large capacity firearms and ammunition therefor. The  
1395 license shall not entitle a holder thereof to transfer, possess or carry large capacity feeding  
1396 devices or assault-style firearms unless such transfer, possession or carry is permitted under  
1397 section 131M.

1398 (b) No license shall be issued under this section unless the applicant submits with their  
1399 application a basic firearms safety certificate meeting the requirements of section 131P.

1400 (c) A license to carry firearms shall be valid to own, possess, purchase and transfer rifles  
1401 and shotguns that are not large capacity or semi-automatic, consistent with the entitlements  
1402 conferred by a firearm identification card issued under section 129B.

1403 (d) A lawful resident 21 years of age or older residing within the jurisdiction of the  
1404 licensing authority or any law enforcement officer employed by the licensing authority or any  
1405 person residing in an area of exclusive federal jurisdiction located within a city or town may  
1406 submit to the licensing authority an application for a license to carry firearms, or renewal of the  
1407 same, which the licensing authority shall issue as provided to section 121F only if it appears that  
1408 the applicant is neither a prohibited person nor determined to be unsuitable to be issued a license  
1409 as set forth in said section 121F, provided that upon an initial application for a license to carry  
1410 firearms, the licensing authority shall conduct a personal interview with the applicant.

1411 (e) A license to carry firearms shall be valid, unless revoked or suspended, for a period of  
1412 not more than 6 years from the date of issue and shall expire on the anniversary of the licensee's  
1413 date of birth occurring not less than 5 years nor more than 6 years from the date of issue. Any  
1414 license issued to an applicant born on February 29 shall expire on March 1.

1415 (f) No person shall be issued a license to carry a machine gun in the commonwealth,  
1416 except that a licensing authority may issue a machine gun license to: (i) a firearm instructor  
1417 certified by the municipal police training committee for the sole purpose of firearm instruction to  
1418 police personnel; or (ii) a bona fide collector of firearms as defined in section 121 upon  
1419 application or upon application for renewal of such license. Clauses (i) and (ii) of this paragraph  
1420 shall not apply to automatic devices or automatic parts.

1421 (g) A person issued a license under this section shall report any change of address via the  
1422 electronic firearm registration system administered by the commissioner of the department of  
1423 criminal justice information services. Such notification shall be made on said electronic firearms  
1424 registration system within 30 days of its occurrence. Failure to notify in a timely manner shall be  
1425 cause for revocation or suspension of said license.

1426 (h) The secretary of the executive office of public safety and security or their designee  
1427 may promulgate regulations to carry out the purposes of this section.

1428 SECTION 50. Said chapter 140 is hereby further amended by striking out section 131½,  
1429 as so appearing, and inserting in place thereof the following section:-

1430 Section 131½. (a) There shall be a firearm control advisory board, within the executive  
1431 office of public safety and security, hereinafter referred to as the board, comprised of 7 members:  
1432 the director of the firearms record bureau within the department of criminal justice information  
1433 services or designee, who shall serve as chair; the attorney general or designee; 1 member  
1434 appointed by the speaker of the house of representatives who shall not be a member of the  
1435 general court and shall have demonstrated knowledge or expertise in firearm safety, law or  
1436 technology; 1 member appointed by the president of the senate who shall not be a member of the  
1437 general court and shall have demonstrated knowledge or expertise in firearm safety, law or  
1438 technology; 2 members appointed by the governor, 1 of whom shall be a member of the Gun  
1439 Owners Action League, Inc. and 1 of whom shall be a police chief selected from a list of four  
1440 chiefs provided by the Massachusetts Chiefs of Police Association Incorporated; and the armorer  
1441 of the department of state police or designee.

1442 (b) The board shall advise the executive office of public safety and security on matters  
1443 relating to the firearm control provisions of this chapter, including, but not limited to, consulting  
1444 with the executive office of public safety and security on the development of the firearm rosters  
1445 outlined in section 131<sup>3</sup>/<sub>4</sub>. The board shall also advise the executive office of public safety and  
1446 security on training needs and materials for licensing authorities and licensees. The board  
1447 members shall serve without compensation; provided, however, that members shall be  
1448 reimbursed for any usual and customary expenses incurred in the performance of their duties.  
1449 The executive office of public safety and security, in consultation with the board, shall adopt  
1450 operating rules and procedures for its organization and activities.

1451 SECTION 51. Said chapter 140 is hereby further amended by striking out section 131<sup>3</sup>/<sub>4</sub>,  
1452 as so appearing, and inserting in place thereof the following section:-

1453 Section 131<sup>3</sup>/<sub>4</sub>. (a) The secretary of public safety and security shall, with the advice of the  
1454 firearm control advisory board established in section 131<sup>1</sup>/<sub>2</sub> compile and publish a roster of  
1455 assault-style firearms banned under section 131M and a roster of firearms approved for sale and  
1456 use in the commonwealth using the parameters set forth in section 123. The secretary shall, not  
1457 less than 3 times annually, review, update, and publish the rosters online, and send a copy to all  
1458 persons licensed in the commonwealth pursuant to section 122. Licensing authorities shall  
1459 provide information on these rosters to all permit and card holders and licensees upon initial  
1460 issuance and every renewal.

1461 (b) The secretary, with the advice of the firearm control advisory board, shall also  
1462 compile and publish a roster of firearms solely designed and sold for formal target shooting

1463 competitions or Olympic shooting competitions. The board shall, not less than biannually,  
1464 review, update and publish these rosters and make them available for distribution.

1465 (c) The secretary may amend any roster upon their own initiative. A person may petition  
1466 the secretary to place a firearm on, or remove a firearm from, the roster, subject to the provisions  
1467 of this section. A petition to amend a roster shall be submitted in writing to the secretary, in the  
1468 form and manner prescribed by the secretary, and include reasons why the roster should be  
1469 amended. Upon receipt of a petition to amend a roster, the secretary shall, within 45 days, either  
1470 notify the petitioner that the petition is denied or modify the roster. An addition to the roster shall  
1471 be effective on the date it is published online by the board.

1472 SECTION 52. Section 131A of said chapter 140, as so appearing, is hereby amended by  
1473 striking out, in line 10, the words “rifle or shotgun.”.

1474 SECTION 53. Section 131B of said chapter 140, as so appearing, is hereby amended by  
1475 striking out, in lines 2 and 7, the words “, rifle, shotgun or machine gun”.

1476 SECTION 54. Section 131C of said chapter 140, as so appearing, is hereby amended by  
1477 inserting after the word “section”, in line 2, the following number: 129B.

1478 SECTION 55. Said section 131C of said chapter 140, as so appearing, is hereby further  
1479 amended by inserting after figure “131F”, in lines 2 and 7, the following words:- or through an  
1480 exemption under section 129C.

1481 SECTION 56. Said section 131C of said chapter 140, as so appearing, is hereby further  
1482 amended by striking out, in lines 6, 8 and 9, the words “rifle or shotgun,” and inserting in place  
1483 thereof, in each instance, the following word:- firearm.

1484 SECTION 57. Said section 131C of said chapter 140, as so appearing, is hereby further  
1485 amended by striking out, in lines 9 and 10, the words “contained within the locked trunk of the  
1486 vehicle or in a locked case or other secure container” and inserting in place thereof the following  
1487 words:- secured in a locked container as defined in section 121.

1488 SECTION 58. Said section 131C of said chapter 140, as so appearing, is hereby further  
1489 amended by striking out, in line 19, the word “weapon” and inserting in place thereof the  
1490 following word:- firearm.

1491 SECTION 59. Section 131E of said chapter 140 is hereby repealed.

1492 SECTION 60. Section 131F of said chapter 140, as so appearing in the 2022 Official  
1493 Edition, is hereby amended by striking out, in lines 1 and 2, the words “, rifles or shotguns”.

1494 SECTION 61. Said section 131F of said chapter 140, as so appearing, is hereby further  
1495 amended by striking out, in lines 5 and 6, the words “alien that resides outside the  
1496 commonwealth” and inserting in place thereof the following words:- a citizen or national of the  
1497 United States or a person who maintains legal permanent residency.

1498 SECTION 62. Said section 131F of said chapter 140, as so appearing, is hereby further  
1499 amended by striking out, in line 9, the number “131” and inserting in place therefor the following  
1500 number:- 121F.

1501 SECTION 63. Said section 131F of said chapter 140, as so appearing, is hereby further  
1502 amended by striking, in lines 18 to 21, inclusive the words “and a large capacity feeding device  
1503 therefor may be carried if the person has been issued a license. The colonel may permit a

1504 licensee to possess a large capacity rifle or shotgun or both” and inserting in place thereof the  
1505 following words:- “may be carried if the person has been issued a license”.

1506 SECTION 64. Section 131G of said chapter 140 is hereby repealed.

1507 SECTION 65. Section 131H of said chapter 140 is hereby repealed.

1508 SECTION 66. Section 131K of said chapter 140, as appearing in the 2022 Official  
1509 Edition, is hereby amended by striking out, in lines 1, 3, 11, 16, 28, 31, 32, 37, 40, 44 and 45,  
1510 the word “weapon” and inserting in place thereof, in each instance, the word:- firearm.

1511 SECTION 67. Section 131L of said chapter 140, as so appearing, is hereby amended by  
1512 striking out, in lines 2 and 3, the words “, rifle or shotgun including, but not limited to, large  
1513 capacity weapons, or machine gun”.

1514 SECTION 68. Said section 131L of said chapter 140, as so appearing, is hereby further  
1515 amended by striking out, in lines 3, 6, 8, 10, 39 and 41, each time it appears, and inserting in  
1516 place thereof the word:- firearm.

1517 SECTION 69. Said section 131L of said chapter 140, as so appearing, is hereby further  
1518 amended by striking out, in lines 14 and 22, each time they appear, the words “rifle or shotgun  
1519 that is not a large capacity weapon” and inserting in place thereof, in each instance the following  
1520 words:- that is not a large capacity firearm or machine gun.

1521 SECTION 70. Said section 131L of said chapter 140, as so appearing, is hereby further  
1522 amended by inserting after the word “capacity”, in line 17 the following words:- or  
1523 semiautomatic.



1524 SECTION 71. Said chapter 140 is hereby further amended by striking out section 131M,  
1525 as so appearing, and inserting in place thereof the following section:-

1526 Section 131M. (a) No person shall possess, own, offer for sale, sell or otherwise transfer  
1527 in the commonwealth or import into the commonwealth an assault-style firearm, or a large  
1528 capacity feeding device.

1529 (b) Subsection (a) shall not apply to an assault-style firearm lawfully possessed within the  
1530 commonwealth on August 1, 2024, by an owner in possession of a license to carry issued under  
1531 section 131 or by a holder of a license to sell under section 122; provided, that the assault-style  
1532 firearm shall be registered in accordance with section 121B and serialized in accordance with  
1533 section 121C.

1534 (c) Subsection (a) shall not apply to large capacity feeding devices lawfully possessed on  
1535 September 13, 1994 only if such possession is: (i) on private property owned or legally  
1536 controlled by the person in possession of the large capacity feeding device; (ii) on private  
1537 property that is not open to the public with the express permission of the property owner or the  
1538 property owner's authorized agent; (iii) while on the premises of a licensed firearms dealer or  
1539 gunsmith for the purpose of lawful repair; (iv) at a licensed firing range or sports shooting  
1540 competition venue; or (v) while traveling to and from these locations; provided, that the large  
1541 capacity feeding device is stored unloaded and secured in a locked container in accordance with  
1542 sections 131C and 131L. A person authorized under this subsection to possess a large capacity  
1543 feeding device may only transfer the device to an heir or devisee, a person residing outside the  
1544 commonwealth, or a licensed dealer.

1545 (d) Whoever violates this section shall be punished, for a first offense, by a fine of not  
1546 less than \$1,000 nor more than \$10,000 or by imprisonment for not less than 1 year nor more  
1547 than 10 years, or by both such fine and imprisonment, and for a second offense, by a fine of not  
1548 less than \$5,000 nor more than \$15,000 or by imprisonment for not less than 5 years nor more  
1549 than 15 years, or by both such fine and imprisonment.

1550 (e) This section shall not apply to transfer or possession by: (i) a qualified law  
1551 enforcement officer or a qualified retired law enforcement officer, as defined in the Law  
1552 Enforcement Officers Safety Act of 2004, 18 U.S.C. sections 926B and 926C, respectively, as  
1553 amended; (ii) a federal, state or local law enforcement agency; or (iii) a federally licensed  
1554 manufacturer solely for sale or transfer in another state or for export.

1555 SECTION 72. Section 131N of said chapter 140, as so appearing, is hereby amended by  
1556 striking the first sentence and inserting in place thereof the following sentence:-

1557 No person shall knowingly possess, own, sell, offer for sale, transfer, manufacture,  
1558 assemble, repair or import any firearm capable of discharging a bullet or shot that is a covert  
1559 firearm or an undetectable firearm all as defined in section 121.

1560 SECTION 73. Section 131O of said chapter 140, as so appearing, is hereby amended by  
1561 striking out, in line 22, the word “weapons” and inserting in place thereof the word: firearms.

1562 SECTION 74. Said chapter 140 is hereby further amended by striking out section 131P,  
1563 as so appearing, and inserting in place thereof the following section:-

1564 Section 131P. (a) Any person applying for the issuance of a license or card under sections  
1565 129B, 131 or 131F shall, in addition to the requirements set forth in this chapter, submit to the

1566 licensing authority a basic firearms safety certificate; provided, however, that a certificate issued  
1567 under section 14 of chapter 131 evidencing satisfactory completion of a hunter education course  
1568 shall serve as a valid substitute for a basic firearms safety certificate required under this section  
1569 for the issuance of a firearm identification card pursuant to section 129B. Persons lawfully  
1570 possessing a firearm identification card or license to carry firearms on August 1, 2024, shall be  
1571 exempt from this section upon expiration of such card or license and when applying for renewal  
1572 of such licensure as required under this chapter; provided, however, that persons possessing a  
1573 firearms identification card or license to carry firearms prior to the implementation of live  
1574 firearms trainings as required in this section shall also be exempt from such requirement. No  
1575 application for the issuance of a firearm identification card or license to carry shall be accepted  
1576 or processed by the licensing authority without such certificate attached thereto; provided,  
1577 however, that this section shall not apply to: (i) any officer, agent or employee of the  
1578 commonwealth or any state of the United States; (ii) any member of the military or other service  
1579 of any state or of the United States; or (iii) any duly authorized law enforcement officer, agent or  
1580 employee of any municipality of the commonwealth; provided, however, that any such person  
1581 described in clauses (i) to (iii), inclusive, shall be authorized by a competent authority to carry or  
1582 possess the firearm so carried or possessed and shall be acting within the scope of their duties.

1583 (b)(i) The colonel of state police, in consultation with the municipal police training  
1584 committee, shall promulgate rules and regulations governing the issuance and form of basic  
1585 firearms safety certificates required pursuant to this section, including minimum requirements for  
1586 course curriculum and the contents of any written examination. The colonel shall create a written  
1587 examination and establish minimum requirements to pass said examination that shall be used in  
1588 all firearm safety courses or programs mandated under this section.

1589 (ii) The colonel shall certify certain persons as firearms safety instructors, certify safety  
1590 course curriculum and annually update and post on the department of state police’s website a list  
1591 of approved instructors. Certification as a firearm safety instructor shall be valid for a period of  
1592 10 years, unless sooner revoked by reason of unsuitability, in the discretion of said colonel.  
1593 Firearms safety instructors shall be any person certified by a nationally recognized organization  
1594 that fosters safety in firearms, or any other person in the discretion of said colonel, to be  
1595 competent to give instruction in a basic firearms safety course. Applicants for certification as  
1596 instructors under this section shall not be exempt from the requirements of this chapter or any  
1597 other law or regulation of the commonwealth or the United States. Upon application to the  
1598 colonel of state police, said colonel may, at their discretion, certify as a firearms safety instructor  
1599 any person who operates a firearms safety course or program that provides in its curriculum: (A)  
1600 the safe use, handling and storage of firearms; (B) methods for securing and childproofing  
1601 firearms; (C) the applicable laws relating to the possession, transportation and storage of  
1602 firearms; (D) knowledge of operation, potential dangers and basic competency in the ownership  
1603 and use of firearms; (E) injury and suicide prevention and harm reduction education; (F)  
1604 applicable laws relating to the use of force; (G) disengagement tactics; and (H) live firearms  
1605 training.

1606 (iii) The department of state police may impose a fee of \$50 for initial issuance of such  
1607 certification to offset the cost of certifying instructors. The fee for certification renewal shall be  
1608 \$10.

1609 (c)(i) Any firearms safety instructor certified under this section may, in their discretion,  
1610 issue a basic firearms safety certificate to any person who successfully completes the  
1611 requirements of a basic firearms safety course approved by the colonel. No firearms safety

1612 instructor shall issue or cause to be issued any basic firearms safety certificate to any person who  
1613 fails to meet minimum requirements of the prescribed course of study including, but not limited  
1614 to, demonstrated competency in the use of firearms through class participation, satisfactory  
1615 completion of the written examination as prescribed by the colonel and live firearms training.

1616 (ii) Firearms safety instructors certified under this section shall forward to the department  
1617 of criminal justice information services copies of basic firearms safety course certificates issued,  
1618 which shall include a certification of each person's satisfactory completion of the basic firearms  
1619 safety course and competency in the ownership and use of firearms. Upon receipt, the  
1620 department of criminal justice information services shall forward a copy of such certificate to the  
1621 applicant.

1622 (iii) Licensing authorities shall require a copy of such certificate to be provided  
1623 concurrently with an application for a license or permit and may make inquiry to the department  
1624 of criminal justice information services to confirm the issuance to the applicant of a basic  
1625 firearms safety certificate.

1626 (d) Any person applying for issuance of a license or card under sections 129B, 131 or  
1627 131F, who knowingly files or submits a basic firearms safety certificate to a licensing authority  
1628 which contains false information shall be punished by a fine of not less than \$1,000 nor more  
1629 than \$5,000 or by imprisonment for not more than 2 years in a house of correction, or by both  
1630 such fine and imprisonment.

1631 (e) A firearms safety instructor who knowingly issues a basic firearms safety certificate  
1632 to a person who has not successfully completed a firearms safety course approved by the colonel

1633 shall be punished by a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment for  
1634 not more than 2 years in a house of correction, or by both such fine and imprisonment.

1635 (f) The colonel of state police shall produce and distribute public service announcements  
1636 to encourage and educate the general public about: (i) safe storage and transportation of firearms  
1637 as outlined in sections 131C and 131L; and (ii) the importance of firearms safety education and  
1638 training, including information on places and classes that a person may attend to obtain firearms  
1639 safety education and training.

1640 (g) The executive office of public safety and security, in collaboration with the  
1641 department of public health, shall develop educational materials on harm reduction that shall be  
1642 discussed and distributed by the instructor to every participant in a firearms safety course  
1643 pursuant to this section. The educational materials shall promote suicide prevention through safe  
1644 practices by firearms' owners to reduce access to lethal means. The materials shall include, but  
1645 not be limited to, information relative to: (i) the prevalence of suicide by firearm compared to  
1646 other forms of firearms' violence, including demographic trends; (ii) the risks of injury and  
1647 suicide that may be associated with household firearms, including the rate of survival for suicide  
1648 attempts by firearms compared to other means of attempted suicide; (iii) best practices for  
1649 identifying and reducing the risk of suicide involving household firearms; (iv) available  
1650 resources to learn more about safe practices and suicide prevention; and (v) such additional  
1651 information as determined by the commissioner of public safety and security to be relevant to  
1652 this section.

1653 SECTION 75. Said chapter 140 is hereby further amended by striking out section 131Q,  
1654 as so appearing, and inserting in place thereof the following section:-

1655           Section 131Q. (a) A firearm used to carry out a criminal act including the commission of  
1656 a suicide shall be traced by the licensing authority for the city or town in which the crime took  
1657 place or the law enforcement agency taking possession of the firearm. Said authority or agency  
1658 shall report all available statistical data to the department of criminal justice information  
1659 services. This statistical data shall include, but not be limited to: (i) the make, model, serial  
1660 number and caliber of the firearm used; (ii) the type of crime committed; (iii) whether an arrest  
1661 or conviction was made; (iv) whether fingerprint evidence was found on the firearm; (v) whether  
1662 ballistic evidence was retrieved from the crime scene; (vi) whether the criminal use of the  
1663 firearm was related to known gang activity; (vii) whether the firearm was obtained illegally;  
1664 (viii) whether the firearm was lost or stolen; and (ix) whether the person using the firearm was  
1665 otherwise a prohibited person.

1666           (b) The department of criminal justice information services shall ensure that data reported  
1667 pursuant to this section is automatically transmitted into the federal electronic system maintained  
1668 by the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States Department of  
1669 Justice and to the commonwealth fusion center or the criminal firearms and trafficking unit  
1670 within the division of investigation and intelligence in the department of state police established  
1671 pursuant to section 6 of chapter 22C. The colonel of state police shall produce an annual report  
1672 no later than December 31 of each year regarding crimes committed in the commonwealth using  
1673 firearms, including all of the categories of data contained in this section, and shall submit a copy  
1674 of the report to the joint committee on public safety and homeland security, the clerks of the  
1675 house of representatives and the senate and, upon request, to criminology, public policy and  
1676 public health researchers and other law enforcement agencies.

1677 (c) A cartridge casing associated with a firearm reported for tracing under subsection (a)  
1678 shall be submitted for inclusion in the National Integrated Ballistics Information Network  
1679 maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States  
1680 Department of Justice.

1681 SECTION 76. Section 131R of said chapter 140, as so appearing, is hereby amended by  
1682 striking out, in lines 1 and 2, the words “holding a license to carry firearms or a firearm  
1683 identification card”.

1684 SECTION 77. Said section 131R of said chapter 140, as so appearing, is hereby further  
1685 amended by striking out, in line 11, 12 and 13, each time it appears, the words “, rifle, shotgun,  
1686 machine gun, weapon”.

1687 SECTION 78. Said section 131R of said chapter 140, as so appearing, is hereby further  
1688 amended by striking out, in line 40, the words “the provisions of”.

1689 SECTION 79. Said chapter 140 is hereby further amended by striking out section 131S,  
1690 as so appearing, and inserting in place thereof the following section:-

1691 Section 131S. (a) The court shall, within 10 days of receipt of a petition pursuant to  
1692 section 131R, conduct a hearing on the petition. Upon receipt of the petition, the court shall issue  
1693 a summons with the date, time and location of the hearing. The court shall direct a law  
1694 enforcement officer to personally serve a copy of the petition and the summons on the  
1695 respondent or, if personal service by a law enforcement officer is not possible, the court may,  
1696 after a hearing, order that service be made by some other identified means reasonably calculated  
1697 to reach the respondent. Service shall be made not less than 7 days prior to the hearing.



1698 (b) Notwithstanding subsection (a), the court shall, within 2 days of receipt of a petition  
1699 made pursuant to section 131R, conduct a hearing on the petition if the respondent files an  
1700 affidavit that a firearm or ammunition is required in the performance of the respondent's  
1701 employment.

1702 (c)(1) If after the hearing pursuant to subsection (a) or subsection (b), the court finds by a  
1703 preponderance of the evidence that the respondent poses a risk of causing bodily injury to self or  
1704 others by having in the respondent's control, ownership or possession a firearm or ammunition,  
1705 the court shall grant the petition. If the respondent does not appear at the hearing pursuant to  
1706 subsection (a) or subsection (b), the court shall grant the petition upon a determination that the  
1707 petitioner has demonstrated by a preponderance of the evidence that the respondent poses such a  
1708 risk.

1709 (2) Upon granting a petition, the court shall issue an extreme risk protection order and  
1710 shall order the respondent to surrender any licenses to carry firearms, firearms identification  
1711 cards and all firearms and ammunition that the respondent then controls, owns or possesses to the  
1712 licensing authority of the municipality where the respondent resides. The court shall enter written  
1713 findings as to the basis of its order within 24 hours of granting the order. The court may modify,  
1714 suspend or terminate its order at any subsequent time upon motion by either party; provided,  
1715 however, that due notice shall be given to the respondent and petitioner, and the court shall hold  
1716 a hearing on said motion. When the petitioner's address is confidential to the respondent as  
1717 provided in subsection (d) of section 131R and the respondent has filed a motion to modify the  
1718 court's order, the court shall be responsible for notifying the petitioner. In no event shall the court  
1719 disclose any such confidential address.

1720 (3) Not less than 30 calendar days prior to the expiration of an extreme risk protection  
1721 order, the court shall notify the petitioner at the best-known address of the scheduled expiration  
1722 of the order and that the petitioner may file a petition to renew the order pursuant to section  
1723 131R.

1724 (d)(1) If after the hearing pursuant to subsection (a) or subsection (b), the court has  
1725 probable cause to believe that the respondent has access to a firearm or ammunition, on their  
1726 person or in an identified place, and the respondent fails to surrender any firearms or ammunition  
1727 within 24 hours of being served pursuant to subsection (e), the court shall issue a warrant  
1728 identifying the property, naming or describing the person or place to be searched, and  
1729 commanding the appropriate law enforcement agency to search the person of the respondent and  
1730 any identified place and seize any firearm or ammunition found to which the respondent would  
1731 have access.

1732 (2) The court may issue additional warrants to seize firearms or ammunition if the court  
1733 determines there is probable cause to believe that the respondent has retained, acquired or gained  
1734 access to a firearm or ammunition while an order under this section remains in effect.

1735 (3) Upon executing a warrant issued pursuant to this subsection or section 131T, the law  
1736 enforcement agency conducting the search shall issue a receipt identifying any firearm or  
1737 ammunition seized. The law enforcement agency shall provide a copy of the receipt to the  
1738 respondent. The licensing authority shall then, within 48 hours of the search, return the warrant  
1739 to the court with the original receipt. If the law enforcement agency executing the warrant and  
1740 the licensing authority for the municipality where the respondent resides are different, the law  
1741 enforcement agency shall remit to the licensing authority a copy of the receipt along with any

1742 seized items, and shall file with its warrant and receipt a certification signed by both the law  
1743 enforcement agency and the licensing authority that the seized items were delivered to and  
1744 accepted by the licensing authority. The licensing authority shall store the seized items with any  
1745 items surrendered in accordance with subsection (f).

1746 (e) Upon issuing an extreme risk protection order the clerk-magistrate of the court shall  
1747 transmit 2 certified copies of the order and 1 copy of the petition and summons forthwith to the  
1748 licensing authority of the municipality where the respondent resides which, unless otherwise  
1749 ordered by the court, shall serve a copy of the order and petition upon the respondent. If a  
1750 warrant has been issued pursuant to subsection (d) or pursuant to subsection (b) of section 131T,  
1751 the court shall submit 2 certified copies of the warrant, 1 copy of the petition and summons and 1  
1752 copy of the extreme risk protection order to the appropriate law enforcement agency for  
1753 execution. Licensing authorities and law enforcement agencies shall establish adequate  
1754 procedures to ensure that, when effecting service upon a respondent or executing a warrant, a  
1755 law enforcement officer shall, to the extent practicable: (i) fully inform the respondent of the  
1756 contents and terms of the order or warrant and the available penalties for any violation of an  
1757 order; and (ii) provide the respondent with informational resources, including, but not limited to,  
1758 a list of services relating to crisis intervention, mental health, substance use disorders and  
1759 counseling, and a list of interpreters, as necessary, located within or near the court's jurisdiction.  
1760 The chief justice of the trial court, in consultation with the executive office of public safety and  
1761 security, and the department of mental health, shall annually update the informational resource  
1762 guides required under this section.

1763 Each extreme risk protection order issued by the court shall contain the following  
1764 statement: VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

1765 (f) Upon receipt of service of an extreme risk protection order, the licensing authority of  
1766 the municipality where the respondent resides shall immediately suspend the respondent's license  
1767 to carry firearms or a firearm identification card and immediately notify the respondent of said  
1768 suspension and shall not issue any license to carry or firearm identification card to the  
1769 respondent for the duration of the order.

1770 Upon receipt of service of an extreme risk protection order the respondent shall  
1771 immediately surrender their license to carry firearms or a firearm identification card and all  
1772 firearms or ammunition in their control, ownership or possession to the local licensing authority  
1773 serving the order, in accordance with section 129D; provided, however, that nothing in this  
1774 section or in section 129D shall allow the respondent to: (i) transfer any firearms or ammunition  
1775 required to be surrendered, or surrendered, by the respondent to anyone other than a licensed  
1776 dealer or the local licensing authority; or (ii) maintain control, ownership or possession of any  
1777 firearms or ammunition during the pendency of any appeal of an extreme risk protection order;  
1778 provided, however, that while the surrender of ownership pursuant to an extreme risk protection  
1779 order shall require the immediate surrender of any license to carry firearms or a firearm  
1780 identification card and all firearms or ammunition in the respondent's control or possession, it  
1781 shall not require the surrender of permanent ownership rights; and provided further that,  
1782 notwithstanding section 129D, if the licensing authority cannot reasonably ascertain a lawful  
1783 owner of firearms or ammunition surrendered pursuant to extreme risk protection order within  
1784 180 days of the expiration or termination of the extreme risk protection order, the licensing  
1785 authority may, in its discretion, trade or dispose of surplus, donated, abandoned or junk firearms  
1786 or ammunition to properly licensed distributors or firearms dealers and the proceeds of such sale  
1787 or transfer shall be remitted or credited to the municipality in which the licensing authority

1788 presides to be used for violence reduction or suicide prevention. A violation of this subsection  
1789 shall be punishable by a fine of not more than \$5,000 or by imprisonment for not more than 2½  
1790 years in a house of correction or by both such fine and imprisonment.

1791 (g) Upon receipt of a license to carry firearms or a firearm identification card and any  
1792 firearms or ammunition surrendered by a respondent pursuant to subsection (f) or seized  
1793 pursuant to subsection (d), the licensing authority taking possession of the license to carry  
1794 firearms or a firearm identification card and firearms or ammunition shall issue a receipt  
1795 identifying any license to carry firearms or a firearm identification card and all firearms or  
1796 ammunition surrendered or seized and shall provide a copy of the receipt to the respondent. The  
1797 licensing authority shall, within 48 hours of the surrender or 48 hours of receipt of the seizure,  
1798 file the receipt with the court.

1799 (h) If a person other than the respondent claims title to any firearms or ammunition  
1800 required to be surrendered or seized pursuant to this section, and is determined by the licensing  
1801 authority to be the lawful owner of the firearms or ammunition, the firearms or ammunition shall  
1802 be returned to the person; provided, however, that: (i) the firearms or ammunition shall be  
1803 removed from the respondent's control, ownership or possession and the lawful owner agrees to  
1804 store the firearms or ammunition in a manner such that the respondent does not have access to, or  
1805 control of, the firearms or ammunition; and (ii) the firearms or ammunition shall not be  
1806 otherwise unlawfully possessed by the owner. A violation of this subsection shall be punishable  
1807 by a fine of not more than \$5,000 or by imprisonment for not more than 2½ years in a house of  
1808 correction or by both such fine and imprisonment.

1809 (i) Upon the expiration or termination of an extreme risk protection order, a licensing  
1810 authority holding any firearms ammunition that have been surrendered or seized pursuant to this  
1811 section shall return any license to carry firearms or firearm identification card and all firearms or  
1812 ammunition requested by a respondent only after the licensing authority of the municipality in  
1813 which the respondent resides confirms that the respondent is suitable for a license to carry  
1814 firearms or a firearm identification card and to control, own or possess firearms or ammunition  
1815 under federal and state law.

1816 Not less than 7 days prior to expiration of an extreme risk protection order, a licensing  
1817 authority holding any firearms or ammunition that have been surrendered or seized pursuant to  
1818 this section shall notify the petitioner of the expiration of the extreme risk protection order and  
1819 the return of a license to carry firearms or firearm identification card and the return of any  
1820 firearms or ammunition to the respondent.

1821 As soon as reasonably practicable after receiving notice of the termination of an extreme  
1822 risk protection order by the court, a licensing authority holding any firearms or ammunition that  
1823 have been surrendered or seized pursuant to this section shall notify the petitioner of the  
1824 termination of the extreme risk protection order and the return of a license to carry firearms or  
1825 firearm identification card and the return of any firearms or ammunition to the respondent.

1826 (j) A respondent who has surrendered a license to carry firearms or firearm identification  
1827 card and all firearms or ammunition to a licensing authority, or who had any firearms or  
1828 ammunition seized by a law enforcement agency, and who does not wish to have the license to  
1829 carry firearms or firearm identification card or firearms or ammunition returned or who is no  
1830 longer eligible to control, own or possess firearms or ammunition pursuant to this chapter or

1831 federal law, may sell or transfer title of the firearms or ammunition to a licensed firearms dealer,  
1832 notwithstanding the limits on private firearm transfers in section 127B; provided, however, that  
1833 the respondent shall not take physical possession of the firearms or ammunition. The licensing  
1834 authority may transfer possession of the firearms or ammunition to a licensed dealer upon the  
1835 dealer providing the licensing authority with written proof of the sale or transfer of title of the  
1836 firearms or ammunition from the respondent to the dealer.

1837 (k) If the licensing authority cannot reasonably ascertain the lawful owner of any firearms  
1838 or ammunition surrendered or seized pursuant to this section within 180 days of the expiration or  
1839 termination of the order to surrender the firearms or ammunition the licensing authority may  
1840 dispose of the firearms or ammunition pursuant to section 129D.

1841 SECTION 80. Said chapter 140 is hereby further amended by striking out section 131T,  
1842 as so appearing, and inserting in place thereof the following section:-

1843 Section 131T. (a)(1) Upon the filing of a petition pursuant to section 131R, the court may  
1844 issue an emergency extreme risk protection order without notice to the respondent and prior to  
1845 the hearing required pursuant to subsection (a) of section 131S if the court finds reasonable cause  
1846 to conclude that the respondent poses a risk of causing bodily injury to the respondent's self or  
1847 others by being in possession of a license to carry firearms or a firearm identification card or  
1848 having in the respondent's control, ownership or possession a firearm or ammunition. Upon  
1849 issuance of an emergency extreme risk protection order pursuant to this section, the clerk  
1850 magistrate of the court shall notify the respondent pursuant to subsection (e) of section 131S. An  
1851 order issued under this subsection shall expire 10 days after its issuance unless a hearing is  
1852 scheduled pursuant to subsection (a) or (b) of said section 131S or at the conclusion of a hearing

1853 held pursuant to said subsection (a) or (b) of said section 131S unless a permanent order is issued  
1854 by the court pursuant to paragraph (2) of subsection (c) of said section 131S.

1855 (2) Upon receipt of service of an extreme risk protection order pursuant to this section,  
1856 the respondent shall immediately surrender the respondent's license to carry firearms or firearm  
1857 identification card and all firearms or ammunition to the local licensing authority serving the  
1858 order as provided in subsection (f) of section 131S.

1859 (b)(1) If the court has probable cause to believe that the respondent has access to a  
1860 firearm or ammunition, on their person or in an identified place, and the respondent fails to  
1861 surrender any firearms or ammunition within 24 hours of being served pursuant to subsection (e)  
1862 of section 131S, the court shall issue a warrant identifying the property, naming or describing the  
1863 person or place to be searched, and commanding the appropriate law enforcement agency to  
1864 search the person of the respondent and any identified place and seize any firearm or ammunition  
1865 found to which the respondent would have access.

1866 (2) The law enforcement agency shall conduct its search and manage any seized property  
1867 pursuant to paragraph (3) of subsection (d) of section 131S.

1868 (c) When the court is closed for business, a justice of the court may grant an emergency  
1869 extreme risk protection order if the court finds reasonable cause to conclude that the respondent  
1870 poses a risk of causing bodily injury to the respondent's self or others by being in possession of a  
1871 license to carry firearms or firearm identification card or by having in the respondent's control,  
1872 ownership or possession of a firearm or ammunition, and shall issue a warrant pursuant to  
1873 subsection (b) upon probable cause that the respondent has access to a firearm or ammunition, on  
1874 their person or in an identified place, and the respondent fails to surrender any firearms or



1875 ammunition within 24 hours of being served pursuant to subsection (e) of section 131S. In the  
1876 discretion of the justice, such relief may be granted and communicated by telephone to the  
1877 licensing authority of the municipality where the respondent resides, which shall record such  
1878 order or warrant on a form of order or warrant promulgated for such use by the chief justice of  
1879 the trial court and shall deliver a copy of such order or warrant on the next court business day to  
1880 the clerk-magistrate of the court. If relief has been granted without the filing of a petition  
1881 pursuant to section 131R, the potential petitioner shall appear in court on the next available court  
1882 business day to file a petition. An order or warrant issued under this subsection shall expire at the  
1883 conclusion of the next court business day after issuance unless said potential petitioner has filed  
1884 a petition with the court pursuant to section 131R and the court has issued an emergency extreme  
1885 risk protection order pursuant to subsection (a).

1886 SECTION 81. Said section 131X of said chapter 140, as so appearing, is hereby further  
1887 amended by striking out, in lines 2, 3, 4 and 5, each time it appears, the words “, rifles, shotguns,  
1888 machine guns, weapons”.

1889 SECTION 82. Section 131X of said chapter 140, as so appearing, is hereby amended by  
1890 inserting after the word “license”, in line 8, the following words:- to carry firearms or a firearm  
1891 identification card.

1892 SECTION 83. Said section 131X of said chapter 140, as so appearing, is hereby further  
1893 amended by striking out, in line 12, the words “family or household member” and inserting in  
1894 place thereof the following:- “petitioner.

1895 SECTION 84. Said section 131X of said chapter 140, as so appearing, is hereby further  
1896 amended by striking out subsection (d) and inserting in place thereof the following 4  
1897 subsections:-

1898 (d) Notwithstanding any general or special law, rule or regulation to the contrary, any  
1899 health care provider duly authorized as a petitioner, upon filing an application or renewal for an  
1900 extreme risk protection order, may disclose protected health information of the respondent only  
1901 to the extent necessary for the full investigation and disposition of such application or renewal  
1902 for an extreme risk protection order. When disclosing protected health information, a health care  
1903 provider shall make reasonable efforts to limit protected health information to the extent  
1904 necessary to accomplish the filing of the application or renewal.

1905 (e) Upon receipt of a petition by any health care provider and for good cause shown, the  
1906 court may issue orders as may be necessary to obtain any clinical records or any other records or  
1907 documents relating to diagnosis, prognosis or treatment of the respondent as are necessary for the  
1908 full investigation and disposition of an application for an extreme risk protection order under this  
1909 section. All such records and other health information provided shall be sealed by the court.

1910 (f) The decision of any health care provider to disclose or not to disclose clinical records  
1911 or other records or documents relating to the diagnosis, prognosis or treatment of a patient  
1912 pursuant to this subsection, when made reasonably and in good faith, shall not be the basis for  
1913 any civil or criminal liability with respect to such health care provider; provided, however, that  
1914 any health care provider duly authorized as a petitioner shall not be subject to civil or criminal  
1915 liability for failure to petition the court for the issuance or renewal of an extreme risk protection  
1916 order.

1917 (g) The supreme judicial court and the appeals court shall have concurrent jurisdiction to  
1918 review any proceedings held, determinations made, and orders or judgments entered in the court  
1919 pursuant to section 131S or section 131T. The supreme judicial court or the appeals court,  
1920 subject to section 13 of chapter 211A, may by rule vary the procedure authorized or required for  
1921 such review upon a finding that the review by the court will thereby be made more simple,  
1922 speedy and effective.

1923

1924

1925 SECTION 85. Section 131Y of said chapter 140, as so appearing, is hereby amended by  
1926 striking out clauses (7) to (12), inclusive, and inserting in place thereof the following 10 clauses:-

1927 (7) the number of warrants issued pursuant to subsection (d) of section 131S or section  
1928 131T;

1929 (8) the number of warrants issued pursuant to subsection (d) or section 131S or section  
1930 131T that lead to the seizure of firearms or ammunition;

1931 (9) a breakdown of the types of items surrendered, including but not limited to, license to  
1932 carry or firearm identification card, firearm or ammunition;

1933 (10) a breakdown of the types of items seized, including, but not limited to, firearms or  
1934 ammunition;

1935 (11) the number of extreme risk protective order or emergency extreme risk protective  
1936 order petitions filed that are deemed to be fraudulent;

1937 (12) the number of instances in which a petition was found to be fraudulent and the  
1938 penalties received in each instance;

1939 (13) the race and ethnicity of the petitioner and respondent;

1940 (14) the gender and gender identity of the petitioner and respondent;

1941 (15) the data on the duration of extreme risk protection orders; and

1942 (16) the number of instances in which an order has been terminated or otherwise  
1943 modified prior to its original expiration date.

1944 SECTION 86. Section 3B of chapter 209A of the General Laws, as so appearing, is  
1945 hereby amended by striking out, in lines 6 and 7 and 20 and 21, each time it appears, the words “,  
1946 rifles, shotguns, machine guns”.

1947 SECTION 87. Said section 3B of said chapter 209A, as so appearing, is hereby further  
1948 amended by striking out, in line 13, the word “weapon” and inserting in place thereof the  
1949 following word:- firearm.

1950 SECTION 88. Said section 3B of said chapter 209A, as so appearing, is hereby further  
1951 amended by striking out, in line 15 the word “weapons” and inserting in place thereof the  
1952 following word:- firearms.

1953 SECTION 88A. Said section 3B of said chapter 209A, as so appearing, is hereby further  
1954 amended by striking out, in line 37, the words “, rifle, shotgun, machine gun”.

1955 SECTION 89. Section 3C of said chapter 209A, as so appearing, is hereby amended by  
1956 striking out, in lines 6 and 9, each time it appears, the words “, rifles, shotguns, machine guns”.

1957 SECTION 90. Said section 3C of said chapter 209A, as so appearing, is hereby further  
1958 amended by striking out, in line 13, the word “weapon” and inserting in place thereof the  
1959 following word:- firearm.

1960 SECTION 91. Said section 3C of said chapter 209A, as so appearing, is hereby further  
1961 amended by striking out, in line 17, the word “weapons” and inserting in place thereof the  
1962 following word:- firearms.

1963 SECTION 92. Chapter 258E of the General Laws is hereby amended by inserting after  
1964 section 4 the following 3 sections:-

1965 Section 4A. Upon issuance of a temporary or emergency order under sections 5 or 6, the  
1966 court shall, if the plaintiff demonstrates a substantial likelihood of immediate danger of  
1967 harassment, order the immediate suspension and surrender of any license to carry or firearm  
1968 identification card that the defendant may hold and order the defendant to surrender all firearms  
1969 and ammunition that the defendant then controls, owns or possesses in accordance with the  
1970 provisions of this chapter and chapter 140. Any license to carry or firearm identification card that  
1971 the defendant may hold shall be surrendered to the appropriate law enforcement official in  
1972 accordance with the provisions of this chapter and chapter 140 and said law enforcement official  
1973 may store, transfer or otherwise dispose of any such firearms or ammunition in accordance with  
1974 the provisions of section 129D of said chapter 140; provided, however, that nothing herein shall  
1975 authorize the transfer of any firearms or ammunition surrendered by the defendant to anyone  
1976 other than a licensed dealer. Notice of such suspension and ordered surrender shall be appended  
1977 to the copy of the harassment prevention order served on the defendant pursuant to section 9.  
1978 Law enforcement officials, upon the service of said orders, shall immediately take possession of

1979 all firearms and ammunition, and any license to carry or firearm identification card in the control  
1980 or possession of said defendant. Any violation of such orders shall be punishable by a fine of not  
1981 more than \$5,000 or by imprisonment for not more than 2 ½ years in a house of correction, or by  
1982 both such fine and imprisonment.

1983 Any defendant aggrieved by an order of surrender or suspension under this section may  
1984 petition the court that issued such suspension or surrender order for a review of such action and  
1985 such petition shall be heard not later than 10 court business days after the receipt of the notice of  
1986 the petition by the court. If said license to carry or firearm identification card has been suspended  
1987 upon the issuance of an order issued pursuant to sections 5 or 6, said petition may be heard  
1988 contemporaneously with the hearing under the second sentence of the second paragraph of  
1989 section 5. Upon the filing of an affidavit by the defendant that a firearm or ammunition is  
1990 required in the performance of the defendant's employment and, upon a request for an expedited  
1991 hearing, the court shall order said hearing within 2 business days of receipt of such affidavit and  
1992 request but only on the issue of surrender and suspension pursuant to this section.

1993 Section 4B. Upon the continuation or modification of an order issued pursuant to section  
1994 5 or upon petition for review as described in section 4A, the court shall also order or continue to  
1995 order the immediate suspension and surrender of a defendant's license to carry or firearm  
1996 identification card and the surrender of all firearms and ammunition that such defendant then  
1997 controls, owns or possesses if the court makes a determination that the return of such license to  
1998 carry or firearm identification card or firearms and ammunition to the defendant presents a  
1999 likelihood of harassment to the plaintiff. A suspension and surrender order issued pursuant to this  
2000 section shall continue so long as the harassment prevention order to which it relates is in effect  
2001 and any law enforcement official to whom such firearm or ammunition is surrendered may store,

2002 transfer or otherwise dispose of any such firearm or ammunition in accordance with the  
2003 provisions of section 129D of chapter 140; provided, however, that nothing herein shall  
2004 authorize the transfer of any firearms or ammunition surrendered by the defendant to anyone  
2005 other than a licensed dealer. Any violation of such order shall be punishable by a fine of not  
2006 more than \$5,000 or by imprisonment for not more than 2 ½ years in a house of correction, or by  
2007 both such fine and imprisonment.

2008           Section 4C. Upon an order for suspension or surrender issued pursuant to sections 4A or  
2009 4B, the court shall transmit a report containing the defendant's name and identifying information  
2010 and a statement describing the defendant's alleged conduct and relationship to the plaintiff to the  
2011 department of criminal justice information services. Upon the expiration, cancellation or  
2012 revocation of the order, the court shall transmit a report containing the defendant's name and  
2013 identifying information, a statement describing the defendant's alleged conduct and relationship  
2014 to the plaintiff and an explanation that the order is no longer current or valid to the department of  
2015 criminal justice information services who shall transmit the report, pursuant to paragraph (h) of  
2016 section 167A of chapter 6, to the attorney general of the United States to be included in the  
2017 National Instant Criminal Background Check System or any successor system maintained for the  
2018 purpose of conducting background checks for firearms sales or licensing.

2019           SECTION 93. Section 15E of chapter 265 of the General Laws, as so appearing in the  
2020 2022 Official Edition, is hereby amended by striking out, in lines 2 and 3, the words “, large  
2021 capacity weapon, rifle, shotgun, sawed-off shotgun or machine gun”.

2022 SECTION 94. Section 15F of said chapter 265, as so appearing, is hereby amended by  
2023 striking out, in lines 2 and 3, the words “, large capacity weapon, rifle, shotgun, sawed-off  
2024 shotgun or machine gun”.

2025 SECTION 95. Section 17 of said chapter 265, as so appearing, is hereby amended by  
2026 striking out, in lines 10 and 11, the words “shotgun, rifle, machine gun or assault weapon” and  
2027 inserting in place thereof the following words:- as defined in section 121 of chapter 140,.

2028 SECTION 96. Said section 17 of said chapter 265, as so appearing, is hereby further  
2029 amended by striking out, in lines 13 and 14, the words “, shotgun, rifle, machine gun or assault  
2030 weapon”.

2031 SECTION 97. Section 18 of said chapter 265, as so appearing, is hereby amended by  
2032 striking out, in lines 5 and 6 and line 30, the words “shotgun, rifle, machine gun or assault  
2033 weapon” and inserting in place thereof, in each instance, the following words:- as defined in  
2034 section 121 of chapter 140,.

2035 SECTION 98. Section 18A of said chapter 265, as so appearing, is hereby amended by  
2036 striking out, in line 8, the words “shotgun, rifle or assault weapon” and inserting in place thereof  
2037 the following words:- as defined in section 121 of chapter 140.

2038 SECTION 99. Section 18B of said chapter 265, as so appearing, is hereby amended by  
2039 striking out, in line 4, the words “rifle or shotgun” and inserting in place thereof the following  
2040 words:- as defined in section 121 of chapter 140,.



2041 SECTION 100. Said section 18B of said chapter 265, as so appearing, is hereby further  
2042 amended by striking out, in lines 6 and 7, 18 and 19 and line 21, each time they appear, the words  
2043 “, rifle or shotgun”.

2044 SECTION 101. Said section 18B of said chapter 265, as so appearing, is hereby further  
2045 amended by striking out, in lines 7 and 22, each time it appears, the word “weapon” and inserting  
2046 in place thereof, in each instance, the following word:- firearm.

2047 SECTION 102. Said section 18B of said chapter 265, as so appearing, is hereby further  
2048 amended by striking out, in lines 14 and 15, the words “, rifle or shotgun including, but not  
2049 limited to, a large capacity weapon or machine gun”.

2050 SECTION 103. Section 21A of said chapter 265, as so appearing, is hereby amended by  
2051 striking out, in lines 14 and 15, the words “rifle, shotgun, machine gun or assault weapon” and  
2052 inserting in place thereof the following words:- as defined in section 121 of chapter 140.

2053 SECTION 104. Section 22 of said chapter 265, as so appearing, is hereby amended by  
2054 striking out, in lines 28 and 29, the words “rifle, shotgun, machine gun or assault weapon” and  
2055 inserting in place thereof the following words:- as defined in section 121 of chapter 140.

2056 SECTION 105. Section 24 of said chapter 265, as so appearing, is hereby amended by  
2057 striking out, in line 8, the words “rifle, shotgun, machine gun or assault weapon” and inserting in  
2058 place thereof the following words:- as defined in section 121 of chapter 140,.

2059 SECTION 106. Section 24B of said chapter 265, as so appearing, is hereby amended by  
2060 striking out, in line 9, the words “rifle, shotgun, machine gun or assault weapon” and inserting in  
2061 place thereof the following words:- as defined in section 121 of chapter 140,.

2062 SECTION 107. Section 26 of said chapter 265, as so appearing, is hereby amended by  
2063 striking out, in line 16, the words “rifle, shotgun, machine gun or assault weapon” and inserting  
2064 in place thereof the following words:- as defined in section 121 of chapter 140,.

2065 SECTION 108. Said section 26 of said chapter 265, as so appearing, is hereby further  
2066 amended by striking out, in lines 22 and 23, the words “, rifle, shotgun, machine gun or assault  
2067 weapon”.

2068 SECTION 109. Section 39 of said chapter 265, as so appearing, is hereby amended by  
2069 striking out, in line 22, the words “rifle, shotgun, machine gun or assault weapon” and inserting  
2070 in place thereof the following words:- as defined in section 121 of chapter 140,.

2071 SECTION 110. Section 58 of said chapter 265, as so appearing, is hereby amended by  
2072 striking out, in line 2, the word “weapon” and inserting in place thereof the following word:-  
2073 firearm.

2074 SECTION 111. Section 14 of chapter 266 of the General Laws, as so appearing, is hereby  
2075 amended by striking out, in line 10, the words “rifle, shotgun, machine gun or assault weapon”  
2076 and inserting in place thereof the following words:- as defined in section 121 of chapter 140,.

2077 SECTION 112. Section 17 of said chapter 266, as so appearing, is hereby amended by  
2078 striking out, in line 7, the words “rifle, shotgun, machine gun or assault weapon” and inserting in  
2079 place thereof the following words:- as defined in section 121 of chapter 140,.

2080 SECTION 113. Section 18 of said chapter 266, as so appearing, is hereby amended by  
2081 striking out, in lines 8 and 9, the words “rifle, shotgun, machine gun or assault weapon” and  
2082 inserting in place thereof the following words:- as defined in section 121 of chapter 140,.

2083 SECTION 114. Section 10 of chapter 269 of the General Laws, as so appearing, is hereby  
2084 amended by inserting, in line 28, after the words “possession of” the following words: not  
2085 semiautomatic.

2086 SECTION 115. Said section 10 of said chapter 269, as so appearing, is hereby further  
2087 amended by striking, in line 101, the words “as defined in” and inserting in place thereof the  
2088 following words:- automatic part, bump stock, rapid-fire trigger activator or trigger modifier, as  
2089 those terms are defined in.

2090 SECTION 116. Said section 10 of said chapter 269, as so appearing, is hereby further  
2091 amended by striking out, in line 134, the words “, any rifle or shotgun” and inserting in place  
2092 thereof the following words:- any firearm.

2093 SECTION 117. Said section 10 of said chapter 269, as so appearing, is hereby further  
2094 amended by striking out, in lines 135 to 137, inclusive, the words “the requirement of a serial  
2095 number, as provided in section one hundred and twenty-nine B of chapter one hundred and forty”  
2096 and inserting in place thereof the following words:- the registration requirement, as provided in  
2097 section 121B of chapter 140.

2098 SECTION 118. Said section 10 of said chapter 269, as so appearing, is hereby further  
2099 amended by striking out, in lines 140 and 141, line 150 and lines 151 and 152, each time it  
2100 appears, the words “, rifle, shotgun”.

2101 SECTION 120. Said section 10 of said chapter 269, as so appearing, is hereby further  
2102 amended by striking out, in line 158, the words “or machine guns”.

2103 SECTION 121. Said section 10 of said chapter 269, as so appearing, is hereby further  
2104 amended by striking out, in line 162, the words “rifle, shotgun or machine gun”.

2105 SECTION 122. Said section 10 of said section 269, as so appearing, is hereby further  
2106 amended by striking, in line 170, the words “law enforcement officer” and inserting in place  
2107 thereof the following words:- qualified law enforcement officer or a qualified retired law  
2108 enforcement officer, as defined in the Law Enforcement Officers Safety Act of 2004, 18 U.S.C.  
2109 sections 926B and 926C, respectively, as amended.

2110 SECTION 123. Said section 10 of said section 269, as so appearing, is hereby further  
2111 amended by inserting after the word “university”, in line 174, the following words “, including  
2112 transport used for students of said institution,.

2113 SECTION 124. Said section 10 of said section 269, as so appearing, is hereby further  
2114 amended by inserting after subsection (j) the following subsection:

2115 (k)(1) Whoever possesses a firearm, loaded or unloaded, as defined in section 121 of  
2116 chapter 140, in a prohibited area, and knows or reasonably should know such location is a  
2117 prohibited area, shall be punished by a fine of not more than \$1,000 or by imprisonment in the  
2118 house of correction for not more than 2 ½ years, or both such fine and imprisonment.

2119 (2) For the purposes of this subsection, “prohibited area” shall mean any of the following  
2120 locations:

2121 (i) a place owned, leased, or under the control of state, county or municipal government  
2122 and used for the purpose of government administration, judicial or court administrative  
2123 proceedings, or correctional services, including in or upon any part of the buildings, grounds, or

2124 parking areas thereof; provided, however, that a “prohibited area” shall not include any state-  
2125 owned public land available to the public for hunting and provided further that a municipality  
2126 may vote pursuant to section 4 of chapter 4 to exclude its administrative buildings from being a  
2127 “prohibited area”; or

2128 (ii) a location in use at the time of possession for the storage or tabulation of ballots  
2129 during the hours in which voting or tabulation is occurring or a polling place or early voting site  
2130 while open for voting or within 150 feet of the building entrance door to such polling place or  
2131 early voting site.

2132 (3) A law enforcement officer may arrest without a warrant and detain a person found in  
2133 violation of this subsection.

2134 (4) It shall be a defense to a violation of this subsection that a person with the necessary  
2135 license or card issued under sections 129B, 131 or 131F of chapter 140 to possess the firearm  
2136 securely stored said firearm in a vehicle while within the prohibited area in accordance with  
2137 sections 131C and 131L of chapter 140.

2138 (5) This subsection shall not apply to a qualified law enforcement officer or a qualified  
2139 retired law enforcement officer, as defined in the Law Enforcement Officers Safety Act of 2004,  
2140 18 U.S.C. sections 926B and 926C, respectively, as amended or to a security guard employed at  
2141 the prohibited area while at the location of their employment and during the course of their  
2142 employment. Nothing in this paragraph shall limit the authority of any municipality, county or  
2143 department, division, commission, board, agency or court of the commonwealth to adopt policies  
2144 further restricting the possession of firearms in areas under their control.

2145 SECTION 125. Said section 10 of said chapter 269, as so appearing, is hereby further  
2146 amended by striking out, in line 196 and 226, the word “weapon” and inserting in place thereof,  
2147 in each instance, the following word:- firearm.

2148 SECTION 126. Said section 10 of said chapter 269, as so appearing, is hereby further  
2149 amended by striking out, in line 240, the words “, loaded sawed off shotgun or loaded machine  
2150 gun”.

2151 SECTION 127. Subsection (o) of said section 10 of said chapter 269, as so appearing, is  
2152 hereby amended by striking out the second paragraph and inserting in place thereof the following  
2153 paragraph:-

2154 For purposes of this section, the terms “ammunition” and “firearm” shall have the same  
2155 meaning as those terms are defined in section 121 of chapter 140.

2156 SECTION 128. Section 10A of said chapter 269, as so appearing, is hereby amended by  
2157 striking out, in line 11, the words “firearm shall” and inserting in place thereof the following  
2158 words:- firearm, including any combination of parts designed or redesigned and intended for use  
2159 in assembling or fabricating any such instrument, attachment, weapon or appliance and any part  
2160 intended only for use in such assembly or fabrication, shall.

2161 SECTION 129. Said section 10A of said chapter 269, as so appearing, is hereby further  
2162 amended by striking out, in line 16, the words “or appliance” and inserting in place thereof the  
2163 following words:- , appliance or parts.

2164 SECTION 130. Section 10E of said chapter 269 of the General Laws, as so appearing, is  
2165 hereby amended by striking out, in lines 4 and 5, the words “rifles, shotguns, machines guns, or

2166 any combination thereof,” and inserting in place thereof the following words:- as defined in  
2167 section 121 of chapter 140.

2168 SECTION 131. Said section 10E of said chapter 269, as so appearing, is hereby further  
2169 amended by striking out, in lines 5 and 6, the words “, rifles, shotguns, machines guns, or any  
2170 combination thereof”.

2171 SECTION 132. Section 10F of said chapter 269, as so appearing, is hereby amended by  
2172 striking out, in lines 3 and 31, each time it appears, the word “weapon” and inserting in place  
2173 thereof, in each instance, the following word:- firearm.

2174 SECTION 133. Section 10H of said chapter 269, as so appearing, is hereby amended by  
2175 inserting after the figure “140,” in line 4, the following words:- while with a percentage, by  
2176 weight, of alcohol in their blood of eight one-hundredths or greater, or.

2177 SECTION 134. Said chapter 269 is hereby further amended by striking out section 10I, as  
2178 so appearing, and inserting in place thereof the following section:-

2179 Section 10I. (a) Whoever transports a firearm, as defined in section 121 of chapter 140,  
2180 into the commonwealth to use the firearm for the commission of criminal activity shall be  
2181 punished by imprisonment for not less than 5 years nor more than 10 years.

2182 (b) Whoever transports a firearm into the commonwealth to unlawfully distribute, sell or  
2183 transfer possession of the firearm to a prohibited person, as defined in section 121F of chapter  
2184 140, shall be punished by imprisonment in state prison for not less than 10 years nor more than  
2185 20 years.

2186 (c) Whoever transports a firearm into the commonwealth to unlawfully distribute, sell or  
2187 transfer the firearm to a prohibited person, as defined in section 121F of chapter 140, and if the  
2188 firearm is subsequently used to cause the death of another, shall be punished by imprisonment in  
2189 state prison for not less than 20 years.

2190 SECTION 135. Section 10K of said chapter 269, as so appearing, is hereby amended by  
2191 striking out, in lines 9 and 10, lines 15 and 16, and line 19, the words “, rifle, shotgun, machine  
2192 gun or ammunition” and inserting in place thereof, in each instance, the following words:- or  
2193 ammunition, as defined in section 121 of chapter 140.

2194 SECTION 136. Said chapter 269 is hereby amended by striking out section 11A, as so  
2195 appearing, and inserting in place thereof the following section:-

2196 Section 11A. For the purposes of sections 11A to 11C, inclusive, the terms “firearm”,  
2197 “serial number” and “untraceable firearm” shall have the same definitions as section 121 of  
2198 chapter 140.

2199 SECTION 137. Section 11B of said chapter 269, as so appearing, is hereby amended by  
2200 striking out the first sentence and inserting in place thereof the following sentence:-

2201 Whoever, while in the commission or attempted commission of a felony, has in their  
2202 possession or under their control an untraceable firearm, shall be punished by imprisonment for  
2203 not less than 2 ½ years.

2204 SECTION 138. Said chapter 269 is hereby amended by striking out section 11C, as so  
2205 appearing, and inserting in place thereof the following section:-



2206           Section 11C. Whoever, by themselves or with another, knowingly manufactures, assembles,  
2207 imports, sells or transfers ownership of an untraceable firearm, or knowingly participates in the  
2208 manufacture, assembly, import, sale or transfer of an untraceable firearm or purchases or  
2209 receives a firearm with knowledge that it is untraceable, shall be punished by imprisonment for  
2210 not less than 12 months and not more than 2½ years. Possession or control of a firearm that is  
2211 untraceable shall be prima facie evidence that the person having such possession or control is  
2212 guilty of a violation of this section; but such prima facie evidence may be rebutted by evidence  
2213 that such person had no knowledge that the firearm was untraceable, or by evidence that they had  
2214 no guilty knowledge thereof. Upon a conviction of a violation of this section said firearm shall  
2215 be forwarded, by the authority of the written order of the court, to the colonel of the state police,  
2216 who shall cause said firearm or to be destroyed.

2217           SECTION 139. Section 11E of said chapter 269, as so appearing, is hereby repealed.

2218           SECTION 140. Section 12D of said chapter 269, as so appearing, is hereby amended by  
2219 striking out, in line 30, the word “weapon” and inserting in place thereof the following word:-  
2220 firearm.

2221           SECTION 141. Said chapter 269 is hereby further amended by striking out section 12E,  
2222 as so appearing, and inserting in place thereof the following section:-

2223           Section 12E. (a) Whoever discharges a firearm as defined in section 121 of chapter 140  
2224 within 500 feet of a dwelling or other building in use, except with the consent of the owner or  
2225 legal occupant thereof, shall be punished by a fine of not less than \$50 nor more than \$100 or by  
2226 imprisonment in a jail or house of correction for not more than 3 months, or both such fine and  
2227 imprisonment.

2228 (b) This section shall not apply to any of the following: (i) the lawful defense of life and  
2229 property; (ii) any law enforcement officer acting in the discharge of his duties; or (iii) the  
2230 discharge of blank cartridges for theatrical, athletic, ceremonial, firing squad or other purposes in  
2231 accordance with section 39 of chapter 148.

2232 (c) This section shall not apply to a dwelling or building on the same property as: (i)  
2233 persons using underground or indoor target or test ranges with the consent of the owner or legal  
2234 occupant thereof; (ii) persons using outdoor skeet, trap, target or test ranges with the consent of  
2235 the owner or legal occupant of the land on which the range is established; or (iii) persons using  
2236 shooting galleries, licensed and defined under the provisions of section 56A of chapter 140.  
2237 Nothing in this section shall exempt any person from compliance with noise control laws,  
2238 regulations, ordinances or by-laws in effect or from the prohibitions of section 58 of chapter 131.

2239 SECTION 142. Section 12F of said chapter 269, as so appearing, is hereby amended by  
2240 striking out, in lines 11 and 12, the words “as defined in section 131J of chapter 140, any rifle,  
2241 shotgun”.

2242 SECTION 143. Said chapter 269 is hereby further amended by inserting after section 12F  
2243 the following section:-

2244 Section 12G. Whoever by intentional or reckless discharge of a firearm, as defined in  
2245 section 121 of chapter 140, strikes a dwelling or other building in use shall be punished by  
2246 imprisonment in the house of correction for not more than 2 ½ years or in state prison for not  
2247 more than 5 years or by a fine of not more than \$10,000, or both such imprisonment and fine.  
2248 This section shall not apply to persons acting in the lawful defense of life or property or any law  
2249 enforcement officer acting in the discharge of their duties. This section shall not apply for

2250 dwellings or buildings within the property of: (a) persons using underground or indoor target or  
2251 test ranges with the consent of the owner or legal occupant thereof; (b) persons using outdoor  
2252 skeet, trap, target or test ranges with the consent of the owner or legal occupant of the land on  
2253 which the range is established; or (c) persons using shooting galleries, licensed and defined in  
2254 section 56A of chapter 140. Nothing in this section shall exempt any persons from compliance  
2255 with noise control laws, ordinances or by-laws in effect or from the prohibitions of section 58 of  
2256 chapter 131.

2257 SECTION 144. Section 14 of said chapter 269, as so appearing in the 2022 Official  
2258 Edition, is hereby amended by striking out, in line 15, the words “rifle, shotgun, machine gun or  
2259 assault weapon,”.

2260 SECTION 145. Section 58A of chapter 276 of the General Laws, as so appearing, is  
2261 hereby amended by striking out, in line 21, the words “weapon or machine gun” and inserting in  
2262 place thereof the following word:- firearm.

2263 SECTION 146. Said section 58A of said chapter 276, as so appearing, is hereby further  
2264 amended by striking out, in line 28, the word “weapon” and inserting in place thereof the  
2265 following word:- firearm.

2266 SECTION 147. Section 25 of chapter 279 of the General Laws, as so appearing, is hereby  
2267 amended by striking out, in lines 17 and 18, the words “, shotgun, rifle, machine gun, or assault  
2268 weapon,” and inserting in place thereof the following words:- as defined in section 121 of  
2269 chapter 140.

2270 SECTION 148. (a) As used in this section, the following words shall, unless the context  
2271 clearly requires otherwise, have the following meanings:

2272 “Microstamp”, a microscopic array of characters identifying the make, model, or serial  
2273 number of a firearm, etched or otherwise imprinted in 2 or more places on the interior surface or  
2274 the internal working parts of the firearm, that are transferred by imprinting on each cartridge case  
2275 when the firearm is fired.

2276 “Personalized firearm”, a firearm manufactured with incorporated design technology or  
2277 converted with such technology so that it: (i) allows the firearm to be fired only by an authorized  
2278 user; or (ii) prevents any of the safety characteristics of the firearm from being readily  
2279 deactivated.

2280 (b) There is hereby established, pursuant to section 2A of chapter 4 of the General Laws,  
2281 a special legislative commission to study and investigate emerging firearm technology.

2282 (c) The special legislative commission shall consist of 13 members: the chairs of the joint  
2283 committee on the judiciary or their designees, who shall serve as co-chairs; the secretary of  
2284 public safety and security or a designee; the colonel of the state police or a designee; 2 members  
2285 appointed by the speaker of the house of representatives; 2 members appointed by the president  
2286 of the senate; 1 member appointed by the minority leader of the house of representatives; 1  
2287 member appointed by the minority leader of the senate; 1 member appointed by the governor,  
2288 who shall be an expert in emerging firearm technologies; the attorney general or a designee and 1  
2289 member appointed by the National Shooting Sports Foundation, Inc.

2290 (d) The special legislative commission shall investigate and study the status, feasibility,  
2291 and utility of emerging firearm technologies, including, but not limited to, personalized firearm  
2292 technology and microstamp technology. The study shall include: (i) a review of existing and  
2293 developing personalized firearm and microstamp technologies and any legal or constitutional

2294 issues relating to such technologies; (ii) an investigation of the accuracy, effectiveness and utility  
2295 of personalized firearm and microstamp technologies; (iii) an evaluation of the commercial  
2296 availability of personalized firearm and microstamp technologies, both in the production of new  
2297 firearms and modification of existing firearms; (iv) an evaluation of the feasibility and utility of a  
2298 personalized firearm technology tax incentive program; (v) an evaluation of the risks associated  
2299 with the use of a digital firearm manufacturing code for machine learning and artificial  
2300 intelligence; and (vi) an investigation of the cost and impacts associated with requiring the use of  
2301 personalized firearm or microstamp technologies in the commonwealth.

2302 (e) The special legislative commission shall submit a report of its study and  
2303 recommendations, together with any legislative recommendations, to the clerks of the house of  
2304 representatives and the senate no later than March 1, 2025.

2305 SECTION 149. (a) There is hereby established, pursuant to section 2A of chapter 4 of the  
2306 General Laws, a special legislative commission to study the commonwealth's funding structure  
2307 for violence prevention services.

2308 (b) The special legislative commission shall consist of 19 members: the chairs of the joint  
2309 committee on public health or their designees, who shall serve as co-chairs; the chairs of the joint  
2310 committee on public safety and homeland security or their designees; the secretary of public  
2311 safety and security or a designee; the secretary of health and human services or a designee; 1  
2312 member appointed by the speaker of the house of representatives who shall be from an  
2313 organization that has received a grant through the Safe and Successful Youth Initiative; 1  
2314 member appointed by the president of the senate who shall be from an organization that has  
2315 received a grant through the Safe and Successful Youth Initiative; 1 member appointed by the

2316 minority leader of the house of representatives; 1 member appointed by the minority leader of  
2317 the senate; 3 member appointed by the governor, 1 of whom shall be from an organization  
2318 involved in early child education or development, 1 of whom shall represent a community-based  
2319 organization providing intervention and prevention services and 1 of whom shall represent a  
2320 female-led community-based organization providing violence prevention and intervention  
2321 services; 2 members appointed by the Massachusetts Black and Latino Legislative Caucus who  
2322 are not members of the general court; 1 member appointed by the Massachusetts Asian-  
2323 American Legislative Caucus who is not a member of the general court; 1 member appointed by  
2324 the Massachusetts Association of School Superintendents, Inc.; 1 member appointed by the  
2325 Massachusetts Health and Hospital Association, Inc. and 1 member from the Massachusetts  
2326 Business Roundtable.

2327 (c) The special legislative commission shall: (i) examine and evaluate the existing  
2328 government funding structure for violence prevention services in the commonwealth, including  
2329 funding sources, public-private partnerships, initiatives and programs utilized, specific services  
2330 funded, the impact of services provided to survivors of victims of homicide in fostering healing  
2331 and breaking the generational cycle of violence, communities served, how funding decisions are  
2332 made, and how service providers and programs are chosen; (ii) study the feasibility of a  
2333 statewide grant for municipal boards of health, health departments and health commissions for  
2334 the development and operation of a public health and safety approach to preventing targeted  
2335 violence through structured collaboration that brings together local law enforcement, housing  
2336 providers, human services providers, youth providers, educators, residents, community-based  
2337 organizations, coalitions and other stakeholders to address housing, health care, substance use  
2338 and mental health issues as they relate to violence prevention and intervention; and (iii)

2339 recommend changes to promote efficiency, transparency, accessibility and utility with the  
2340 ultimate goal of enhancing violence prevention services and minimizing the disproportionate  
2341 impact of violence in historically impacted communities.

2342 (d) The special legislative commission shall submit a report of its study and  
2343 recommendations, together with any proposed legislation, to the clerks of the house of  
2344 representatives and the senate no later than March 1, 2025.

2345 SECTION 150. (a) There is hereby established, pursuant to section 2A of chapter 4 of the  
2346 General Laws, a special legislative commission to study the collection, maintenance, access, use  
2347 and distribution of firearm data by the commonwealth.

2348 (b) The special legislative commission shall investigate and make recommendations for  
2349 improvements to how firearm data: (i) is collected through the reporting of the possession and  
2350 transfer of firearms and firearm parts including sales by licensed firearm dealers, transfers by  
2351 non-retailers and lost or stolen firearms and how such collection will be affected by the  
2352 registration, reporting and serialization requirements set forth in this act; (ii) is maintained and  
2353 distributed by state agencies including the department of criminal justice information services;  
2354 (iii) is shared between federal, state and local agencies including firearms tracing efforts and  
2355 tracking firearms used in attempted or completed suicides; (iv) is accessed and used by licensing  
2356 authorities as defined in section 121 of chapter 140 including processing applications for firearm  
2357 licenses, investigating prohibited persons and unsuitability, receiving alerts on changes in  
2358 licensee status and confiscating firearms pursuant to an emergency risk protection order; and (v)  
2359 is reported by state agencies to the legislature or researchers under section 18 <sup>3</sup>/<sub>4</sub> of chapter 6A  
2360 and section 131Q of chapter 140 or is accessible to the public under section 121E of said chapter

2361 140. The special commission shall make further recommendations on the consolidation and  
2362 clarification of existing firearm data reporting statutes and requirements.

2363 (c) The special legislative commission shall consist of 15 members: the chairs of the joint  
2364 committee on public safety and homeland security or their designees, who shall serve as co-  
2365 chairs; the secretary of public safety and security or a designee; the secretary of technology  
2366 services and security or a designee; the attorney general or a designee 1 member appointed by  
2367 the speaker of the house of representatives who shall be an expert in data collection and  
2368 analytics; 1 member appointed by the president of the senate who shall be an expert in data  
2369 collection and analytics; 1 member appointed by the minority leader of the house of  
2370 representatives; 1 member appointed by the minority leader of the senate; the colonel of the state  
2371 police or a designee; the commissioner of criminal justice information services or a designee; 1  
2372 member appointed by the Massachusetts District Attorneys Association; and 3 members  
2373 appointed by the governor, 1 of whom shall be a police chief from a rural community selected  
2374 from a list of 3 nominees from the Massachusetts Chiefs of Police Association, 1 of whom shall  
2375 be a police chief from an urban or suburban community selected from a list of 3 nominees from  
2376 the Massachusetts Chiefs of Police Association and 1 of whom shall be an expert in data  
2377 collection and analytics.

2378 (d) The commission shall submit a report, together with any legislative or regulatory  
2379 recommendations, to the house and senate committees on ways and means and the clerks of the  
2380 house of representatives and senate not later than August 1, 2025.

2381 SECTION 151. (a) Notwithstanding any general or special law to the contrary, the  
2382 executive office of health and human services shall establish a task force to review the



2383 availability of federal funding to support community violence prevention programs and to make  
2384 recommendations to maximize federal funding in an equitable manner that supports community  
2385 violence prevention service delivery across the commonwealth. The task force shall consist of:  
2386 the secretary of health and human services or a designee, who shall serve as chair; the  
2387 commissioner of public health or a designee; the director of Medicaid or a designee; and 9  
2388 persons to be appointed by the secretary of health and human services, 2 of whom shall represent  
2389 organizations that have received a grant through the Safe and Successful Youth Initiative, 2 of  
2390 whom shall represent recipients of the gun violence prevention grant through the department of  
2391 public health, 2 of whom shall have lived experience with the impacts of community violence of  
2392 which at least 1 shall have received services from a community violence intervention or  
2393 prevention program, 1 of whom represents a hospital that currently operates a hospital-based  
2394 violence prevention program in the commonwealth, 1 of whom represents a hospital in the  
2395 commonwealth that does not currently operate a hospital-based violence prevention program and  
2396 1 of whom represents behavioral health care clinicians with experience providing trauma  
2397 informed care.

2398 (b) The task force shall consider: (i) whether federal funds may be applied equitably to  
2399 community violence prevention programs, in clinical and nonclinical settings, across geographic  
2400 regions; (ii) the ability of existing community violence prevention and intervention programs to  
2401 implement any federal requirements to be eligible for funding; and (iii) any impact federal  
2402 funding may have on the service delivery model of violence prevention services in the  
2403 commonwealth.

2404 (c) The task force shall submit its recommendations to the governor and the clerks of the  
2405 house of representatives and senate not later than December 2,, 2024.

2406 (d) If the task force recommends that the secretary of health and human services pursue  
2407 an amendment to the Medicaid state plan and seek any federal approval necessary to access  
2408 federal funds to support equitable access to community violence prevention services, then the  
2409 secretary shall pursue such an amendment and shall seek any such federal approval in  
2410 accordance with the recommendations and findings of the task force.

2411 SECTION 152: Notwithstanding any general or special law, rule or regulation to the  
2412 contrary, the secretary of public safety and security or a designee shall study and report to the  
2413 legislature on recommendations to ensure the effective implementation of live firearm training as  
2414 required pursuant to section 131P of chapter 140 of the General Laws. Said report shall include,  
2415 but not be limited to, any recommendations to ensure that such training does not become cost  
2416 prohibitive and that resources and facilities to conduct such training are adequate and reasonably  
2417 available to individuals in all regions of the state. Prior to issuing such report and  
2418 recommendations, the secretary, or designee, shall conduct not less than 2 public hearings in  
2419 different regions of the state to solicit public input regarding the implementation of the live  
2420 firearm training requirement. The report and any recommendations shall be filed with the clerk  
2421 of the house of representatives, the clerk of the senate, the senate and house chairs of the joint  
2422 committee on the judiciary and the senate and house chairs of the joint committee on public  
2423 safety not later than 9 months from the effective date of this act.

2424 SECTION 153. A valid license to carry a firearm issued under sections 131 or 131F of  
2425 chapter 140 of the General Laws, a valid firearm identification card under section 129B of said  
2426 chapter 140 or a valid license to sell under section 122 of said chapter 140, shall remain valid  
2427 until the expiration, suspension or revocation of said license and shall entitle the holder to  
2428 possess the firearms authorized by the license at the time it was last issued or renewed.

2429 SECTION 154. Not later than 6 months after the effective date of this act, the executive  
2430 office of public safety and security shall notify all individuals with licenses to carry and firearm  
2431 identification cards valid on the effective date of this act of the requirements under section 121B  
2432 and 121C of chapter 140 of the General Laws, as inserted by section 32.

2433 SECTION 155. (a) Not later than 6 months after the effective date of this act, the  
2434 executive office of public safety and security shall promulgate regulations required by section  
2435 121B of chapter 140 of the General Laws, as inserted by section 32.

2436 (b) Not later than 6 months after the effective date of this act, the executive office of  
2437 public safety and security, in consultation with the department of criminal justice information  
2438 services, shall promulgate regulations required by section 121C of said chapter 140, as inserted  
2439 by section 32.

2440 SECTION 156. Not later than 1 year after the effective date of this act, the department of  
2441 criminal justice information services shall establish the online dashboard and publish firearm  
2442 data required by subsection (c) of section 121E of chapter 140 of the General Laws, as inserted  
2443 by section 32.

2444 SECTION 157. The department of criminal justice information services shall establish  
2445 the electronic firearms registration system established pursuant to section 121B of chapter 140 of  
2446 the General Laws, as inserted by section 32, not later than 1 year after the effective date of this  
2447 act; provided, that all firearms shall be registered in accordance with this act and not later than 1  
2448 year after said electronic firearms registration system is completed and publicly available.

2449 SECTION 158. The department of criminal justice information services shall establish  
2450 the serial number request system established pursuant to section 121C of chapter 140 of the

2451 General Laws, as inserted by section 32, not later than 1 year after the effective date of this act;  
2452 provided, that all firearms shall be serialized in accordance with this act and not later than 1 year  
2453 after said serial number request system is completed and publicly available.

2454 SECTION 159. Sections 38 and 75 shall take effect 18 months after the effective date of  
2455 this act.