

Clarification of Reasons for Denial of a License To Carry Firearms or Firearms Identification Card

Type of Conviction or Treatment	License To Carry Firearms	Firearms Identification Card
Felony conviction as an adult.	Permanent ineligibility.	Ineligibility waived after five years. ¹
Conviction under any law regulating the use, possession or sale of controlled substances as defined in Section 1 of Chapter 94C.	Permanent ineligibility.	Permanent ineligibility only for trafficking in controlled substances; otherwise ineligibility waived after five years. ¹
Confinement to a hospital or institution for mental illness.	Ineligibility waived with physician's affidavit.	Ineligibility waived with physician's affidavit.
Being the current subject of restraining order (209 A).	Ineligible while order is current.	Ineligible while order is current.
Not a "suitable person" in the eyes of the chief.	Can be appealed in district court.	N/A, the chief shall issue a card to any person who meets the eligibility criteria.
Felony conviction as a juvenile.	Permanent ineligibility.	Ineligibility waived after five years. ¹
Conviction of a misdemeanor punishable by imprisonment for more than two years (includes conviction for OUI after May 27 1994).	Permanent ineligibility.	Ineligibility waived after five years. ¹
Conviction of a "Violent Crime" ²	Permanent ineligibility. ³	Permanent ineligibility.
Conviction under any law relating to weapons or ammunition for which imprisonment may be imposed.	Permanent ineligibility. ³	Ineligibility waived after five years. ¹
Past or current treatment for drug addiction or habitual drunkenness.	Ineligibility waived after 5 years from treatment with physician's affidavit.	Ineligibility waived after 5 years from treatment with physician's affidavit.
Being the subject of an outstanding arrest warrant in any state or federal jurisdiction.	Ineligible with outstanding warrants.	Ineligible with outstanding warrants.

- Five years from the end of parole, probation or conviction or adjudication, whichever is last occurring. Important note: a person with an FID Card, who is not eligible to receive a License to carry a firearm, is considered ineligible to own a gun by the federal government and can not purchase rifles, shotguns or ammo from a dealer.
- A violent crime is any "crime which could have been punished by a term exceeding one year, or any act of juvenile delinquency involving the use or possession of a deadly weapon that would be punishable by imprisonment for such term if committed by an adult, that (i) has an element the use, attempted use or threatened use of physical force or a deadly weapon against the person of another (ii) is burglary, extortion, arson or kidnapping; (iii) involves the use of explosives; or (iv) otherwise involves conduct that presents a serious risk of physical injury to another." This definition includes simple "assault" "assault and battery" and "burglary".
- A Firearms Licensing Review Board has been established to review cases of individuals convicted of certain misdemeanors (though not domestic assault cases). The Board has the authority to restore a person's firearm rights. For more information contact, the Criminal History Systems Board at 617-660-4782.



Like all laws, these are subject to change. For more information, contact Gun Owners' Action League, PO Box 567, Northboro, MA 01532.

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Join us as we work to make our firearm laws fair and just!