



# Gun Owners' Action League

## House & Senate Language Compilation by Subject Matter

*February 9, 2024*

In the event the House does not accept the Senate's version (S.2584) of H.4139, the House and Senate (The General Court) will likely impanel a conference committee where both versions of the bill will be set before the members of the committee, and they will negotiate which provisions will remain and which provisions will go to the cutting room floor. With this document, GOAL is attempting to lay out all the provisions in both versions of the bills for your review.

Once the conference committee is in place, all provisions of both bills will be on the table and there is a possibility that even the most egregious parts of both bills could end up in the final version. The language in this "crosswalk" between the two bills is certainly duplicative in some parts and contradictory in others. This compilation should be looked at as just that, a compilation of both bills in order to illustrate what the law could eventually look like should it be passed.

**The Following is all of the language in play as the bill moves forward.**

### **3-D Printing**

- Bans the use a 3-dimensional printer or computer numerical control milling machine to manufacture or assemble any gun, or unfinished receiver without a valid license to manufacture firearms.
- Bans the sale and/ or purchase of a 3-dimensional printer or computer numerical control milling machine to any person who does not have a valid license to manufacture firearms if the printer or machine is marketed or sold in a manner that:
  - Advertises that it may be used to manufacture or assemble.
  - Can be promoted that the printer's or machine's use in manufacturing or assembling guns.
  - Includes a digital firearm manufacturing code.
  - A person who possesses, purchases or receives the 3-dimensional printer or computer numerical control milling machine also possesses, purchases or receives a digital firearm manufacturing code.
- Requires a licensed individual that manufactures or assembles a gun to report it within 10 days.
- Bans the sale unless the seller has a valid license to manufacture firearms.
- Codifies that prohibited persons manufacture or assemble.

## **Assault Style Firearms**

The new version does provide some limited grandfathering. However, it is very confusing as it separates pre-1994 and a new August 1, 2024 rule. The pre-1994 language places very confusing strict language on where the items can be possessed.

It still includes a massive list of newly banned guns. It does seem to exclude rimfire guns.

The “one feature test” for semi-autos is still present in this version. In addition to the old features, this would include:

- thumbhole stocks,
- shroud that encircles either all or part of the barrel designed to shield the bearer’s hand from heat, excluding a slide that encloses the barrel,
- A forward grip or second handgrip or protruding grip that can be held by the non-trigger hand.

Grandfathering for possession, but not transferring, within the commonwealth on August 1, 2024

New pre-September 13, 1994 rules for certain guns and magazines

- On private property owned or legally controlled by the person.
- On private property that is not open to the public with the express permission of the owner or owner’s authorized agent.
- While on the premises of a licensed firearms dealer or gunsmith for the purpose of lawful repair.
- At a licensed firing range or sports shooting competition venue.
- While traveling to and from these locations; provided, that the large capacity feeding device is stored unloaded and secured in a locked container.
- A person authorized under this chapter to possess a large capacity feeding device may only transfer the device to an heir or devisee, a person residing outside the commonwealth, or a licensed dealer.

## **Assault Weapons**

- Adds “barrel extender” to the list of things in the threaded barrel piece.
- There appears to be no exemptions for rimfire ammunition.
- Essentially codifies the 2016 opinion of the Attorney General on so-called “Assault Weapons” to include:
  - An unfinished frame or receiver, for an AR for instance, could be considered an unfinished machine gun.
  - The gun is a semiautomatic rifle or handgun that was manufactured or subsequently configured with an ability to accept a detachable magazine or a semiautomatic shotgun.
  - The gun, (includes unfinished frames and receivers), has internal functional components that are substantially similar in construction and configuration to a listed Assault Weapon.

- A receiver shall be treated as an assault weapon if it closely resembles one and has the 2 features.
- If the gun, and receiver (includes unfinished frames and receivers), was initially as manufactured or originally assembled as an assault weapon it will always be considered such regardless of any modifications.

Grandfathering:

- The weapon won't be considered a copy/duplicate if it was owned and registered in the commonwealth prior to July 20, 2016.

### **Attempting Shooting at Law Enforcement**

- Creates a new criminal law for intentionally shooting at law enforcement.

### **Common Long Gun**

This definition specifically excludes any type of semi-automatics. It would ban the purchase, and possession of a semi-automatic for anyone under 21. The only exemption for large capacity firearm or semiautomatic rifle and shotgun is under the direct supervision at a licensed club. That means no semi-automatics for anyone under 21 for hunting and use at unlicensed clubs.

### **Covert Weapons**

- Bans No person shall knowingly manufacture or assemble or cause to be manufactured or assembled, import, sell, offer for sale, transfer or possess any weapon, loaded or unloaded, which will, is designed to, or may readily be converted to, discharge a bullet or shot, that is constructed in a shape that does not resemble a handgun, short-barreled rifle or short-barreled shotgun including, but not limited to:
  - Covert weapons that resemble keychains, pens, cigarette-lighters or cigarette-packages.
  - An undetectable firearm, rifle or shotgun.

### **Curio and Relic**

Someone licensed as a bona fide collector can only purchase any type of firearm through a licensed Massachusetts retailer. It seems to eliminate private transfers under this type of license.

New Definition - "Curio or relic firearms", firearms which are of special interest to collectors because they possess some qualities not ordinarily associated with firearms intended for sporting use or as offensive or defensive weapons.

### **Dangerousness**

- Creates new laws dealing unlawful firearms under probation etc.

### **Defensive Sprays**

Creates a separate pepper permit for 15 – 18 year old persons with parental consent.

A long gun permit does not allow persons under 18 to possess pepper spray.

### **Exemptions**

- Reduces the time an heir of an estate has to transfer firearms and ammunition from 180 days to 60 days.
- Restricts the possession of a firearm or ammunition of an unlicensed person while under direct supervision by a licensed person inclusive only for a “particular purpose and limited time”, but it doesn’t define what that purpose or time is.
- Exempts professional photographer, writers and other media/movie/theater staff under certain circumstances.
- Restricts signaling/distress devices to over 18.

### **Digital Codes**

“digital firearm manufacturing code” shall mean any digital instructions in the form of computer-aided design files or other code or instructions stored and displayed in electronic format as a digital model that may be used to program a computer numerical control milling machine, a 3-dimensional printer or a similar machine to manufacture, assemble or produce a firearm, rifle, shotgun or completed or unfinished frame or receiver.

- Bans the possession or distribution of codes to anyone who is not a licensed manufacturer.
  - This means that codes cannot be delivered on anything physical, like a thumb drive, by anyone who is not a licensed manufacturer. (Common Carriers)
  - It could potentially mean that codes cannot be electronically stored or transferred through any system not owned by a licensed manufacturer.
- Anyone sharing codes, other than with a licensed manufacturer, can be held “strictly liable” for any harm caused with item made from those codes.

### **Discharge at Dwellings**

- Creates a specific crime for intentionally striking a building/dwelling in use.

### **Emerging Firearm Technology Commission**

- Creates a commission to “study and investigate” emerging firearm technology.
- The commission shall investigate and study the status, feasibility and utility of emerging firearm technologies including personalized firearm technology and microstamp technology.

### **Firearm Control Advisory Board**

Changes the makeup and duties of the current Gun Control Advisory Board. The director of the firearms record bureau, current member, but will now serve as the chair.

It adds the following members:

- The attorney general or designee.
- 1 member appointed by the speaker of the house of representatives.
- 1 member appointed by the president of the senate.
- 2 members appointed by the governor, 1 of whom shall be a member of the gun owners action league and 1 of whom shall be a police chief selected from a list of four chiefs provided by the Massachusetts chiefs of police association.
- The armorer of the department of state police or designee.

#### New Duties

- Advise the state on firearm control provisions of this chapter,
- Advise the state on training needs and materials for licensing authorities and all license holders.

#### **Firearm Industry**

- Creates a new Section 128D, Chapter 140.
- A new definition of “Firearm industry member”
  - Would literally include anyone in the Second Amendment community including advocates, clubs, trainers, hunters, hunter ed, etc.
  - Would also include any person or entity that produces 2A materials including things like T-shirts, posters, banners, member applications, etc.
- New Definition of “Firearm industry product”
  - Any part of a gun, ammunition, any device that can be inserted or attached.
  - Devices that can be used to be used to increase a firearm’s rate of fire, concealability, magazine capacity or destructive capacity or to increase the firearm’s stability and handling when the firearm is repeatedly fired.
  - Any machine or device that is marketed or sold to the public, or that was reasonably designed or intended, to be used to manufacture or produce a firearm or any other firearm industry product listed in this paragraph.
  - The definition would include everything that could be used in conjunction with a gun, ranges, clothing, hearing, eye, safety devices, range bags, marketing, administration, etc. A simple GOAL T-shirt would apply.
  - Bans a firearm industry member shall not design, advertise, market or sell a firearm industry product in a manner that recommends or encourages persons under the age of 18 to unlawfully purchase, unlawfully possess or unlawfully use a firearm industry product.
- The section specifically applies to products:
  - Was sold, made, distributed, or marketed in the commonwealth.
  - Was intended to be sold, distributed, or marketed in the commonwealth.
  - Was used or possessed in the commonwealth and it was reasonably foreseeable that the product would be used or possessed in this state the commonwealth.
    - It would open a massive liability and lawsuit wormhole for virtually anyone producing products anywhere. Likely resulting in Massachusetts 2A community being shut off from the rest of manufacturing world, not just guns and ammo.

- It opens the doors to civil action against anyone in the 2A or our suppliers of any products if someone feels harmed. This is an intentional end run around the federal law banning frivolous lawsuits.
- Gives the Attorney General the authority to bring civil action against us even if their no victim.
- Allows the courts to enforce compensatory and punitive damages, etc.
- Gives the Attorney General, any person, any entity to bring action under any law, cause of action, tort theory, or other authority.
- Grants/recognizes that others can place an obligation or requirement on a firearm industry member by any other authority.

### **Firearm Training Equity**

- Requires the department of public health and the executive office of public safety and security to develop a pilot program to promote equity in access to gun safety awareness and firearm licensing education through community-based outreach.
- The pilot program shall prioritize communities that experience barriers to accessing geographically accessible gun safety and firearm licensing educational resources.

### **Ghost Guns**

- Bans firearms, rifles and shotguns (Includes completed or unfinished frames and receivers.) that are not imprinted with a “valid serial number”.
- Unfinished frames or receivers must be serialized before they exist.
- Bans completed or unfinished frames and receivers that do not meet the federal definition of “firearm” and are not imprinted with a “valid serial number”.
- A new resident must bring every firearm, rifle, shotgun or any completed or unfinished frame or receiver into compliance within 60 days.
  - No protections for transporting items to a “Federal licensee authorized to serialize firearms”.
  - If the serializing entity has the items in their possession for more than 24 hours they must be entered into their bound book. That means an entire federal and state transfer must be done to return the property. *This is very problematic as it will be virtually impossible to obtain a license in 60 days. Also, if any part that is being serialized is part of a banned gun or not an “approved” gun, the items cannot be transferred back to the owner.*
- Exempts:
  - Antiques as defined in federal regulation, not Massachusetts law or regulation.
  - Permanently inoperable firearms, rifles, shotguns, completed or unfinished frames or receivers.
  - “Law enforcement agencies” for law enforcement purposes only.
  - Common Carriers
  - “Buyback” programs
  - A nonresident of the commonwealth who is traveling through Massachusetts or in the commonwealth exclusively for use in an organized sport shooting event or competition for no longer than reasonably necessary to participate in such an event or competition. *No exemption for training or hunting.*

- Firearms, rifles and shotguns manufactured before October 22, 1968.

### **Harassment Orders**

- Adds “emergency and/or temporary harassment orders (258E) to the list of license prohibitors.
- Allows law enforcement to transfer or dispose of confiscated guns under certain guidelines.
- Harassment orders would result in the immediate suspension and surrender of any licenses (including any out-of-state licenses one may hold).
- The immediate surrender of any and all firearms (parts) and ammunition in their possession, to the local licensing authority.
- Surrendered weapons can only be stored by licensed retailers.
  - This will cause issues with getting certain guns and parts returned.
- Defendants may appeal such orders and shall be granted a hearing no less than 10 days after the receipt of the notice.
- If the person subject to the order requires guns and ammunition for employment and, upon a request for an expedited hearing, the court shall order said hearing within 2 business days.

### **Involuntary Mental Health**

*This is commonly referred to as being “Section 12ed”. It is an involuntary 72 hour mental health evaluation.*

- A law enforcement agency that applies for a “Section 12” on someone must share that information with the state background check system.
- All information regarding the incident must be shared with the state background check system.
- Information shared must not contain descriptions of the person’s medical or psychiatric diagnosis, treatment plans, mental health medications, mental health care providers or other information of a clinical nature. *(This means that if doctors determine there is nothing wrong with the individual, that information cannot be shared with licensing authorities.)*
- Licensing Authorities may use the fact that an applicant has been committed via Section 12 as a “suitability” test without knowing the outcome.
- Seems to allow the Commissioner of Mental Health to determine suitability.
- Allows applicants to submit an affidavit from healthcare professionals that will testify on their behalf.

### **Large Capacity Feeding Device**

The new definition of this includes - Any part or combination of parts from which a device can be assembled if those parts are in the possession or control of the same person. So, apparently if you have a box and a spring there is a crime.

## **Large Capacity Firearm**

- No person shall possess a loaded firearm in a vehicle unless the firearm is under the direct control of the person.
- No person shall possess a large capacity firearm or machine gun in a vehicle unless it is unloaded and secured in a locked container.
- Exemptions for law enforcement and other government agents within their “official duties” only. This negates the exemption in the “Prohibited Area” section if their service firearm is large capacity.
- Any semiautomatic that has a fixed large capacity feeding device.
- A semiautomatic and capable of accepting, or readily modifiable to accept, any detachable large capacity feeding device when both are in the same person’s possession or under their control in a vehicle.

## **Licensing Authority**

- If a municipality does not have a licensing chief or officer, the applications will be handled by the State Police. It is not clear if that means the local can just opt out and hand it over the State Police.

## **Licensing/Prohibited Persons**

- Removes the 90 day grace period for expired licenses.
- Adds to the prohibited list a Biden initiative for anyone who has been appointed a guardian or conservator.
- It also reaffirms “suitability” in an apparent violation of *Bruen*. Suitability will not apply to a “long permit” unless the licensing authority petitions a court.

## **License Expiration Notice to Law Enforcement**

- The department of criminal justice information services shall send electronically or by first class mail to the licensing authority of each such license to carry firearms a notice of the expiration of such license not less than 5 days after the expiration including the expiration date of the license and the name and address of the licensee.

## **Mandatory Registration (Section 39)**

- Mandates the serialization and registration of all firearms possessed, manufactured or assembled in Massachusetts.
- No exemptions for pre-serialization firearms unless it is considered an antique.
- It specifically excludes nonresidents passing through but must meet Massachusetts storage requirements.
- A new requirement is to report the “loaning” of a firearm.
- It appears that retailers would have to register any new inventory within seven days.



## **Mandatory Firearm Safety Training (Section 47)**

- Only the state, not the instructor, can actually issue a certificate of training.
- The taking of a Hunter Education course is the only exemption from the new requirements, but only for a “long gun” license,
- Mandatory curriculum developed by the state police must include:
  - The safe use, handling and storage of firearms.
  - Methods for securing and childproofing firearms.
  - The applicable laws relating to the possession, transportation and storage of firearms.
  - Knowledge of operation, potential dangers and basic competency in the ownership and use of firearms.
  - Injury prevention and harm reduction education.
  - Active shooter and emergency response training.
  - Applicable laws relating to the use of force.
  - De-escalation and disengagement tactics.
  - Live firearms training.

## **Mandatory Licensing Authority Training**

The language once again places mandatory training requirements on law enforcement with heavy penalties for noncompliance. Including licensing responsibilities; record keeping obligations, firearm surrender, registration, and tracing etc.

## **Mandatory Firearm Retailer Training**

Any person applying for a retailer license or renewal must complete a training program that includes at minimum:

- Uniform standards of security for business premises.
- Employee background check and training requirements.
- Information on requirements and conditions as deemed relevant to the state.

## **Manufacturer Liability**

There is a backdoor manufacturer liability under the “safety devices” section. It seems to open the door for accidental or self-inflicted injuries for anyone under 18.

## **Nonresidents**

Nonresident licenses will only be issued for purposes of:

- A firearm competition.
- A nonresident who is in the employ of a bank, public utility corporation, or a firm engaged in the business of transferring monies, or business of a similar nature.
- A firm licensed as a private detective whose application is endorsed by an employer.

- A nonresident who is a member of the armed services and is stationed within the territorial boundaries of the commonwealth and has the written consent of their commanding officer.
- Nonresident law enforcement prohibited from possessing “assault style firearms”.
- A nonresident at least 18 years and can only possess common long guns and ammunition if the nonresident has a permit or license issued from their state of residence. That license must meet requirements of a Massachusetts license with the following exemptions.
  - to hunt during hunting season with a nonresident hunting license or a hunting license or permit lawfully issued from their state of residence which has substantially similar requirements to those in section 11 of chapter 131;
  - while on a firing or shooting range
  - while traveling in or through the commonwealth, provided that they are unloaded and secured in a locked container in accordance with sections 126B and 126C
  - while at a firearm showing or display organized by a regularly existing gun collectors’ club or association.
- Nonresident Junior shooters/hunters under 18 cannot possess a pistol or revolver for any purpose.
- Nonresidents traveling in or through the commonwealth for the purpose of hunting, they also have on their person a hunting or sporting license issued by the commonwealth or by their destination state.
- A nonresident may carry a firearm on their person while in a vehicle lawfully traveling through the commonwealth, provided, however, that the firearm may not leave the vehicle and if the firearm is outside its owner’s direct control it must meet safe storage requirements.

### **Private Transfers**

- Adds ammunition to the limit of four private transactions per calendar year that includes frames and receivers, finished or unfinished.

### **Prohibited Areas**

- A place owned, leased, or under the control of state, county or municipal government and used for the purpose of government administration, judicial or court administrative proceedings, or correctional services, including in or upon any part of the buildings, grounds, or parking areas thereof. This can include:
  - A provision in any private rental or lease agreement restricting a party’s or a tenant’s possession or use of firearms on the property or in the residential dwelling.
  - A restrictive covenant restricting the possession or use of firearms on the property or in the residential dwelling.
  - Any homeowners’ association, community association, planned community association, condominium association, cooperative, or any other nongovernmental to restrict the possession or use of firearms on private property.
- A location in use at the time of possession as a polling place or for the storage or tabulation of ballots.

- An elementary school, secondary school, college or university including transport used for students of said institution, including in or upon any part of the buildings, grounds, or parking areas.
- Any private, residential dwelling of another, not held open to the public, unless the person in possession of the firearm:
  - has a valid firearms license or permit issued under sections 124 to 124B, inclusive, of chapter 140; and
  - has been given express authorization to carry a firearm in said dwelling by the property owner or lessee, or an agent thereof; provided, that express authorization shall be signified by unambiguous written or verbal authorization or by the posting of clear and conspicuous signage on the building or the premises by the property owner or lessee, or an agent thereof, indicating that possession of a firearm is authorized.

Exemptions/Additional Provisions of Prohibited Areas:

- State-owned public land available to the public for hunting shall not be a "prohibited area".
- It shall be a defense to a violation of this subsection that a person with a license or permit securely stored the licensed firearm in a vehicle while within the prohibited.
- Active law enforcement officer while in performance of their official duties or to a security guard employed at the prohibited area while at the location of their employment and during the course of their employment.
- Law Enforcement are exempt in their “personal capacity” only if carrying their service firearm.
- Does not apply to firearms authorized by a secondary school, college or university, with prior written notice to the department of state police, to be possessed or stored on school grounds.
  - Does not limit the authority of any municipality, county or department, division, commission, board, agency or court of the commonwealth to adopt policies further restricting the possession of firearms in areas under their control.

**Prohibited Areas**

- Any state, county, or municipal administrative building or a judicial or court administrative building.
- Any other state, county, municipal or judicial body as they wish.
- Excludes law enforcement. Municipalities have a means to opt out.

**Receiver Definition**

A frame or receiver will be considered a firearm and must meet the serialization and registration requirements.

The bill includes a new definition of “Receiver” as the part of a rifle or shotgun that provides housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence, even if pins or other attachments are required to connect such component to the housing or structure.

## Red Flag

New definition of “Petitioner”,

- Family or household member.
- The local licensing authority.
- A health care provider that has provided care to the accused within the last six months.
  - Defines a “health care provider” as licensed physician, licensed physician assistant, registered nurse, licensed practical nurse, certified nurse practitioner, certified clinical nurse specialist, certified psychiatric clinical nurse specialist, licensed psychiatrist, licensed psychologist, licensed mental health counselor, licensed marriage and family therapist, licensed alcohol and drug counselor, licensed independent clinical social worker or licensed certified social worker.
- Removes the requirement to hold a firearm license to be “Red Flagged”, but it appears the only thing a court can do is revoke/suspend a firearm license.
- Makes it clear the person under a Red Flag order cannot get a new firearms license.
- Allows a “petitioner” to disclose protected health information of the respondent for an investigation.
- Allows the court to order the availability of any clinical records or any other records or documents relating to diagnosis, prognosis or treatment of the respondent as are necessary for a full investigation.
- Protects “petitioners” that disclose, or do not disclose, records cannot be held civilly or criminally liable.
- Provides protections for health care providers who either file a petition or don’t file a petition.
- Mandates all guns and ammo can only be held by a licensed retailer.
- Provides appeal processes.
- Information shall be shared with the state and federal background check systems.

## Retailers

- Creates Uniform standards of security for business premises.
- Applies “suitability” to retailer licenses.
- Must complete online retailer training.
- Must post information on safe storage and transportation.
- If a retailer is given an expired, suspended or revoked license or permit they must:
  - immediately report all firearm transfers and transactions,
  - confiscate the license,
  - issue the license or permit holder a receipt,
  - notify the person of their duty to surrender all firearms and ammunition.
- Must keep onsite records that are open to inspection by police.
- Must report and keep records of any sold, rented, leased or otherwise transferred firearm or feeding device or ammunition.
- Record whether the firearm, feeding device or ammunition has been sold, rented or leased.

- Any purchaser, renter or lessee's must personally write their name in the sales record book and as confirmed by valid state or federal identification.
- Annual retailer inspections by the State Police including records, inventory & policies and procedures.

### **Retailers**

- Mandates the creation of training materials for law enforcement to enforce all of Section 123 of Chapter 140. Not just annual inspections.
- Re-opens to flood gates of regulatory actions for the entire section.
- Allows local authorities to opt out of retailer inspections and transfer that to State Police.
- Nothing about training the retailers on how to comply with these convoluted laws that virtually nobody understands currently, let alone if these new laws pass.
- A denial of a retailer's license can be appealed to district court within 10 days. After 10 days there is no appeal.
- The state will create regulations for inspections to include:
  - Provisions to ensure that the inspections required under this section are conducted by the licensing authority in a timely manner.
  - Establishing a process for local authorities to opt out and hand the inspections over to the State Police.
- Mandates the state produce materials on suicide prevention and awareness for firearm retailers to post, including:
  - Information on signs and symptoms of depression.
  - State and federal suicide prevention hotlines.
  - Resources for individuals at risk of suicide.
- The state will develop notices to be posted by retailers that will include:
  - Information on signs and symptoms of depression.
  - State and federal suicide prevention hotlines.
  - Resources for individuals at risk of suicide.

### **Secured Locked Container/Safe Storage**

At a minimum the container must be capable of being unlocked only by means of a key, combination or similar means, including in an unoccupied motor vehicle, a locked trunk not accessible from the passenger compartment, a locked console or locked glovebox.

It shall be unlawful to store or keep any firearm in any place unless such firearm is secured in a locked container as defined in section 121 or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render the firearm inoperable by any person other than the owner or other lawfully authorized user. For purposes of this section, such firearm shall not be deemed stored or kept if carried by or under the direct control of the owner or other lawfully authorized user.

### **Serial Numbers**

- Mandates the serialization of all firearms (includes frames and receivers). No exemptions for non-serialized collectibles unless they are legally considered an antique.

- Requires new residents moving into the commonwealth or acquired by heirs must be serialized within 60 days and registered.
- Prohibits assembling a privately made firearm without obtaining a unique serial number from the department of criminal justice information services prior to manufacture or assembly.
- The language places limitations on who can apply serial numbers to a federally licensed firearms manufacturer, importer, or dealer who is authorized by federal law to serialize firearms, or a serial number issued by the director of the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States Department of Justice or the department of criminal justice information services.
- It also set standards for serialization including - must be placed in a manner not susceptible of being readily obliterated, altered or removed. Anything made from non-metallic materials must have a metal plate permanently embedded in the material of the frame or receiver.
  
- Requires serialization of any rifle, shotgun or handgun that has been manufactured or assembled.
- Mandates the serialization of completed or unfinished frames and receivers for import, purchase, sell, offer for sale or transfer ownership or possession.
- Exemptions:
  - An antique as defined in s 27 C.F.R. 479.11
  - Has been rendered permanently inoperable.
  - Law Enforcement
  - Transfer of ownership to a federally licensed gunsmith, manufacturer or importer or to any other federal licensee authorized to serialize firearms.
  - Federally licensed gunsmith, manufacturer or importer or by any other federal licensee authorized to serialize firearms.
  - Armed forces.
  - Forensic laboratory.
  - Common carrier.
  - Buybacks/surrender.
  - Non-residents only for organized sport shooting event or competition.
  - New residents for 60 days.
  - Manufactured before October 22, 1968.

### **Sharing Court Records for Licensing**

- A court shall, pursuant to section 35 and section 36C, transmit information contained in court records to the department of criminal justice information services, which shall provide the information to:
  - Licensing authorities.
  - Federal Bureau of Investigation.
  - National Instant Criminal Background Check System.

## Special Commissions

- Establishes a special commission to study the commonwealth’s funding structure for violence prevention services.
- Establishes a special commission to study “emerging firearm technology”.
  - a. Review of existing and developing personalized firearm and microstamp technologies.
  - b. Investigation of the accuracy, effectiveness and utility of personalized firearm and microstamp technologies.
  - c. Evaluation of the commercial availability of personalized firearm and microstamp technologies, both in the production of new firearms and modification of existing firearms.
  - d. The creation and operation of a ballistics and forensics gun laboratory in the Worcester Police Department’s Real Time Crime Center for the use and benefit of regional law enforcement.
  - e. Evaluation of the risks associated with the use of a digital firearm manufacturing code for machine learning and artificial intelligence.
  - f. An investigation of the cost and impacts associated with requiring the use of personalized firearm or microstamp technologies in the commonwealth.
- Establishes a special commission to study, investigate and make recommendations on improvements to firearm data collection, maintenance, access and analysis including:
  - Changes to existing state and local data collection efforts reflecting the updated serialization requirements set forth in this act.
  - Non-retail transfers of ownership or possession of firearms, rifles, shotguns or completed or unfinished frames or receivers.
  - Licensed firearm dealer reporting of sales or transfers of parts of firearms, rifles or shotguns.
  - Data sharing practices between federal, state and local agencies.
  - Data access for licensing authorities as defined in section 121 of chapter 140 of the General Laws related to processing applications for firearm identification cards or licenses to carry firearms.
  - Data access for said licensing authorities to assist in determining whether activity involving the holder of a firearm identification card or license to carry may render said holder a prohibited or unsuitable person.
  - Consolidation and clarification of existing data reporting statutes.
- It requires the state to gather a huge list of data points on the legal and criminal use/possession of firearms and make that data available to the public.

## Stun Guns

- Stun guns would have to meet serialization and registration requirements.
- Stun guns are exempt from training requirements, rosters and “smart gun mandates”.
- Must meet safe storage requirements as they are considered a firearm.

## Suppressors

- Adds language to the suppressor ban to include:
  - Firearm, including any combination of parts designed or redesigned and intended for use in assembling or fabricating any such instrument, attachment, weapon or appliance and any part intended only for use in such assembly or fabrication...

## Task Forces & Data Collection

- Creates a trafficking and illegal firearm task force.
  - Track the prevalence and distribution of illegal firearms in the commonwealth.
  - Track the means by which illegal firearms are entering the commonwealth.
  - Study where illegal firearms are used most frequently in violent crimes and suicides.
  - Recommend improvements for how state and local law enforcement agencies can better track and trace the illegal trafficking of firearms.
  - Recommend best practices for the enforcement of statutes regarding the illegal trafficking of firearms.
- Develops a biennial report analyzing and reporting on the firearms trace data.
  - Statistics related to firearms crimes and attempted or completed suicides by firearms.
  - Arrests and prosecutions of firearms-related offenses, to serve as an examination of the effectiveness of the commonwealth's firearms-related regulations.
  - Aggregate data on the source of firearms that have been confiscated and identified as being used in a crime or in an attempted or a completed suicide during the report period, including aggregate information on the manufacturer, whether the firearms were privately made or modified, state of origin and last known point of sale, transfer, loss or theft of such firearms and, if reasonably ascertainable, such firearms' means of entry into the commonwealth including, but not limited to, by state or federal highway, port of entry or any other means.
  - An explanation of substantial changes in state and federal firearms-related laws and firearms-related statistics in the commonwealth.
  - The effectiveness of section 128B of said chapter 140.
  - The effectiveness of current reporting mechanisms for lost and stolen firearms, including identifying the number of firearms traced to crimes and attempted or completed suicides that were determined to have been lost or stolen and, of these firearms, how many were reported lost or stolen prior to their use in the commission of those crimes and attempted or completed suicides.
  - Firearm purchase and sales patterns as they relate to firearms traced to crimes and attempted or completed suicides, including an analysis of the number of firearms traced to a crime or attempted or completed suicide that were originally purchased from a licensed firearm dealer or purchased through a secondary private seller.
  - An analysis of whether the license number used for the purchase or transfer of a firearm used in a crime or attempted or completed suicide was associated with the purchase or transfer of any other firearm, in the commonwealth or any other



jurisdiction, within a 12-month period prior or subsequent to the sale of the recovered firearm and the total number of such firearms purchased or transferred by that license holder and whether any of such firearms were also used in the commission of a crime; and provided further, that all data referenced herein or relied upon in compiling the report shall be readily available to the public in an aggregate, nonidentifying and downloadable format.

- Creates reporting on the prosecution of gun crimes to include, charges, dismissals, acquittals, and sentencing.
- Re-mandates the mandated data collection from the 2014 law. All relevant data as of August 11, 2014, which the date the law was enacted.
  - Statistics related to firearms crimes.
  - Arrests and prosecutions of firearms-related offenses, to serve as an examination of the effectiveness of the commonwealth's firearms-related regulations.
  - Aggregate data on the source of firearms that have been confiscated and identified as being used in a crime or in an attempted or completed suicide during the report period, including aggregate information on the manufacturer, state of origin and last known point of sale, transfer, loss or theft of such firearms.
  - An explanation of substantial changes in state and federal firearms-related laws and firearms-related statistics in the commonwealth; and (v) the effectiveness of section 128B of chapter 140.

## **Training**

- **Hunter Education**
  - A hunter education course is a valid substitute for a basic firearms safety course for a “long gun permit” (LGP) only.
  - Hunter’s education will not be valid to receive a license to carry (LTC).
- **Exceptions to Training Requirements**
  - Anyone who lawfully possesses a Firearms Identification Card or a License to Carry firearms on or before August 1, 2024 shall be exempt from the new training requirements when applying for license renewal.
  - Officers, agents, and employees of the Commonwealth or any other US state; Any member of the military or other service of any state of the US; law enforcement officers, agents or employees of any municipality of the Commonwealth are exempt from training requirements when applying for a LGP or LTC as long as they are authorized to carry or possess a firearm in the scope of their duties.
- **Instructors and Curriculum**
  - The Colonel of the State Police will be in charge of designing and certifying the curriculum for firearms training in the Commonwealth and will annually update and post a list of approved instructors for basic firearm safety training.

- Certification of instructors would last for 10 years, unless revoked at the discretion of the Colonel.
  - Instructors would be those certified by a nationally recognized organization that “fosters safety in firearms”- or any other persons deemed suitable by the Colonel to train.
  - The curriculum for approved firearms safety courses offered by trainers in the Commonwealth must provide (as quoted in the bill):
    - The safe use, handling and storage of firearms
    - Methods for securing and childproofing firearms
    - The applicable laws relating to the possession, transportation and storage of firearms
    - Knowledge of operation, potential dangers and basic competency in the ownership and use of firearms
    - Injury prevention and harm reduction education
    - Active shooter and emergency response training
    - Applicable laws relating to the use of force
    - De-escalation and disengagement tactics, and;
    - Live firearms training
  - Initial certification for trainers will cost \$50 and renewal will cost \$10
  - Along with the curriculum, the Colonel will also create a written examination and establish minimum requirements to pass the exam.
- **Issuance of Basic Firearms Safety Certificates**
    - Certified instructors can issue basic firearms safety certificates to anyone who completes the requirements of basic firearms safety training including:
      - Demonstrated competency of the use of firearms “through class participation”
      - Satisfactory completion of the written exam, and;
      - Live firearms training
    - Instructors must forward copies of certificates to the Department of Criminal Justice Information Services (DCJIS).
    - Upon receipt, DCJIS will forward a copy of the certificate to the applicant who completed the training.
- **Penalties for Falsification**
    - Anyone who falsifies a basic firearms safety certificate and knowingly submits it to the licensing authority for a permit shall be punished with a fine of not less than \$1,000 but not more than \$5,000 and/or be imprisoned for not more than 2 years.
    - Any instructor who knowingly issues a basic firearms safety certificate to a person who has not completed the course shall be punished by a fine of not less than \$5,000 but not more than \$10,000 and/or be imprisoned for not more than 2 years.
- Public Health and Public Safety will develop an equity-based program for firearm safety.

- Establishes a special commission to study the benefits and feasibility of adding live-fire training to the requirements for a basic firearms safety certificate. GOAL is listed as a member. The study will include:
  - The cost of such training to applicants, instructors and the commonwealth.
  - The availability of resources necessary to implement the training, including the geographic distribution of ranges and instructors and the capacity of ranges and instructors.
  - Recommendations on the types of firearms, rifles or shotguns that should be included in live-fire training.
  - Academic research regarding the effectiveness of live-fire training in promoting safety and reducing firearms accidents.
  - Any other information related to certified firearms safety instructors or the basic firearms safety certificate and deemed relevant to the study.
  
- The state will produce suicide prevention and awareness materials for use in firearm training courses. The materials will be distributed by instructors during courses.
  - the prevalence of suicide by firearm compared to other forms of firearms' violence, including demographic trends; (ii) the risks of injury and suicide that may be associated with household firearms, including the rate of survival for suicide attempts by firearms compared to other means of attempted suicide; (iii) best practices for identifying and reducing the risk of suicide involving household firearms; (iv) available resources to learn more about safe practices and suicide prevention; and (v) such additional information as determined by the commissioner of public safety and security to be relevant to this section.
- The executive office of public safety and security, in collaboration with the department of public health, shall develop educational materials on harm reduction which shall be discussed and distributed by the instructor to every participant in a hunter education course pursuant to this section.
- The educational materials shall promote suicide prevention through safe practices by firearms' owners to reduce access to lethal means including:
  - The prevalence of suicide by firearm compared to other forms of firearms' violence, including demographic trends,
  - The risks of injury and suicide that may be associated with household firearms, including the rate of survival for suicide attempts by firearms compared to other means of attempted suicide.
  - Best practices for identifying and reducing the risk of suicide involving household firearms.
  - Available resources to learn more about safe practices and suicide prevention.
  - Additional information on suicide prevention.

## **Triggers**

A ban and definition of "Trigger modifier", any modification that repeatedly activates the trigger of a firearm including, but not limited to, trigger cranks, binary triggers and hellfire triggers.

- Complete a dealer training program developed and offered online by the executive office of public safety and security including:
  - Uniform standards of security for business premises.
  - Employee background check and training requirements.
  - Information on requirements and conditions contained in the revised laws.

### **Trigger Activators**

- Appears to ban the possession of bump stocks, trigger cranks and any other rapid-fire trigger activators for those that hold a machine gun license.

### **Under the Influence**

- Creates a standard of under the influence the same as driving.

### **Voluntary Do Not Sell**

- Creates a state voluntary “do not sell list” that is accessible to licensing authorities.
- Any person who voluntarily registers their name to the list shall be prohibited from the purchase, rental, lease, borrowing, possession and carrying of firearms.
- Makes being on the voluntary do not sell list a disqualifier for a license.
- Information regarding a request to register or deregister cannot:
  - Be used by a court in any legal proceeding.
  - As a condition of receiving employment, benefits, or other services.
  - Or be considered a public record.
- Anyone 18 years of age or older may voluntarily register or deregister. Cannot deregister for 21 days.
- Provides means of processing and identification.
- The department shall engage in a public awareness campaign to raise awareness about the ability of individuals to register with the list.

## **House & Senate Definitions Compilation**

“Additive manufacturing”, a process in which material is added to produce a product, including, but not limited to 3-dimensional printing.

“Ammunition”, cartridges or cartridge cases, primers (igniter), bullets or propellant powder designed for use in any firearm; provided, that “ammunition” shall also mean tear gas cartridges.

“Antique firearm”, any firearm or replica thereof manufactured in or prior to the year 1899 if such firearm: (i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or (ii) uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and which is not readily available in the ordinary channels of

commercial trade; provided, that “antique firearm” shall include any muzzle loading rifle, shotgun or pistol that is designed to use black powder, or a black powder substitute, and that cannot use fixed ammunition, unless the firearm: (i) incorporates a firearm frame or receiver; (ii) is converted into a muzzle loading weapon; or (iii) is a muzzle loading weapon that can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

#### “Assault Style Firearm”

- A semiautomatic, centerfire rifle with the capacity to accept a detachable feeding device and includes any of the following features: (i) a folding or telescopic stock; (ii) a thumbhole stock or pistol grip; (iii) a forward grip or second handgrip or protruding grip that can be held by the non-trigger hand; (iv) a threaded barrel designed to accommodate a flash suppressor or muzzle break or similar feature; or (v) a shroud that encircles either all or part of the barrel designed to shield the bearer’s hand from heat, excluding a slide that encloses the barrel.
- (b) A semiautomatic pistol with the capacity to accept a detachable feeding device and includes any of the following features: (i) the capacity to accept a feeding device that attaches to the pistol outside of the pistol grip; (ii) a second handgrip or a protruding grip that can be held by the non-trigger hand; (iii) a threaded barrel capable of accepting a flash suppressor, forward handgrip or silencer; or (iv) a shroud that encircles either all or part of the barrel designed to shield the bearer’s hand from heat, excluding a slide that encloses the barrel.
- (c) A semiautomatic shotgun with the capacity to accept a detachable feeding device and includes any of the following features: (i) a folding or telescopic stock; (ii) a thumbhole stock or pistol grip; or (iii) a protruding grip for the non-trigger hand.

“Assault-style firearm” shall not include any: (i) firearm that is operated by manual bolt, pump, lever or slide action; (ii) firearm that has been rendered permanently inoperable or otherwise rendered permanently unable to be designated as a semiautomatic assault-style firearm; (iii) firearm that is an antique or relic, theatrical prop or other firearm that is not capable of firing a projectile and which is not intended for use as a functional firearm and cannot be readily modified through a combination of available parts into an assault-style firearm; or (iv) semiautomatic shotgun that cannot hold more than 5 rounds of ammunition in a fixed or detachable feeding device.

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

“Automatic conversion”, any modification made to a firearm or any part capable of being attached to a firearm that allows for the automatic discharge of more than 1 shot with 1 continuous activation of the trigger.

“Automatic part”, any part capable of being attached to a firearm that allows for the automatic discharge of more than 1 shot with 1 continuous activation of the trigger.

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

“Certified violence prevention professional”, a prevention professional certified pursuant to subsections (c) and (d) of this section.

“Common long gun”, a rifle or shotgun that is not a large capacity firearm and cannot produce semiautomatic or automatic fire.

“Community violence”, intentional acts of interpersonal violence committed in public areas by individuals who are not family members or intimate partners of the victim.

“Community violence prevention and intervention services”, evidence-based, trauma informed, supportive and non-psychotherapeutic services provided by a certified violence prevention professional within or outside of a clinical setting, for the purpose of promoting improved health outcomes and positive behavioral change, preventing injury recidivism and reducing the likelihood that an individual who is a victim of community violence will commit or promote community violence.

“Community violence prevention services”, shall include, but shall not be limited to, the provision of peer support and counseling, mentorship, conflict mediation, crisis intervention, targeted case management, referrals to a certified violence prevention professional, licensed health care professionals or social services providers, patient education or screening services to victims of community violence.

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

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

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

“Digital firearm manufacturing code” shall mean any digital instructions in the form of computer-aided design files or other code or instructions stored and displayed in electronic format as a digital model that may be used to program a computer numerical control milling

machine, a 3-dimensional printer or a similar machine to manufacture, assemble or produce a firearm, rifle, shotgun or completed or unfinished frame or receiver.

“Extreme risk protection order”, an order by the court that orders: (i) the immediate suspension and surrender of a license to carry firearms or a firearm identification card which the respondent may hold; (ii) the respondent to surrender all firearms, rifles, shotguns, machine guns, weapons or ammunition which the respondent owns, possesses or controls at the time of such risk protection order; and (iii) the respondent to refrain from applying for any new firearms licenses or identification cards; provided, however, that an extreme risk protection order shall be in effect for not more than 1 year from the date of issuance but may be renewed upon petition.

“Federal licensee authorized to serialize firearms”, a person, firm, corporation or other entity that holds a valid federal license that authorizes the license holder to imprint serial numbers onto firearms, rifles, shotguns and completed or unfinished frames or receivers pursuant to 18 U.S.C. 923 and regulations promulgated thereunder.

“Federally-licensed gunsmith, manufacturer or importer”, a person, firm, corporation or other entity that holds a valid gunsmith license or license to manufacture or import firearms, rifles and shotguns issued pursuant to 18 U.S.C. 923 and regulations promulgated thereunder.

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

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

“Firearm”, a stun gun, pistol, revolver or other weapon of any description, loaded or unloaded, that will, is designed to, or may readily be converted to, discharge a shot or bullet other than by compressed air and of which the length of the barrel or barrels is less than 16 inches or, in the case of a shotgun as originally manufactured, is less than 18 inches; provided, however, that “firearm” shall also include the completed or unfinished frame or receiver of any such weapon.

“Firearm industry member”, a person, firm, corporation, or any other entity engaged in the manufacture, distribution, importation, marketing, or wholesale or retail sale of a firearm industry product.

“Firearm industry product”, any of the following: (i) a firearm; (ii) ammunition; (iii) a completed or unfinished frame or receiver; (iv) a firearm component or magazine; (v) a device that is designed or adapted to be inserted into, affixed onto or used in conjunction with a firearm, if the device is marketed or sold to the public, or that was reasonably designed or intended, to be used to increase a firearm’s rate of fire, concealability, magazine capacity or destructive capacity or to increase the firearm’s stability and handling when the firearm is repeatedly fired; or (vi) any machine or device that is marketed or sold to the public, or that was reasonably designed or

intended, to be used to manufacture or produce a firearm or any other firearm industry product listed in this paragraph.

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

“Frame”, the part of a firearm or variant of a firearm that provides the housing or a structure for the primary energized component designed to hold back the hammer, striker, bolt or similar element prior to initiation of the firing sequence, even if pins or other attachments are required to attach the component to the housing or structure; provided, however, that any such part that is identified with an importer's or manufacturer's serial number shall be presumed to be the frame of the weapon unless there is an official determination by the Bureau of Alcohol, Tobacco, Firearms and Explosives or there exists other reliable evidence to the contrary.

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

“Interpersonal violence”, the intentional use of physical force or power against other persons by an individual or small group of individuals.

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

“Large capacity feeding device”, (i) a fixed or detachable magazine, belt, drum, feed strip or similar device that has a capacity of, or that can be readily converted to accept, more than 10 rounds of ammunition or more than 5 shotgun shells; or (ii) any part or combination of parts from which a device can be assembled if those parts are in the possession or control of the same person.

- “Large capacity feeding device” shall not include: (i) any device that has been permanently altered so that it cannot accommodate more than 10 rounds of ammunition or more than 5 shotgun shells; (ii) an attached tubular device designed to accept and capable of operating only with .22 caliber rimfire ammunition; or (iii) a tubular magazine that is contained in a lever action firearm or on a pump shotgun.

“Large capacity firearm”, any firearm that: (i) is semiautomatic with a fixed large capacity feeding device; (ii) is semiautomatic and capable of accepting, or readily modifiable to accept, any detachable large capacity feeding device when both are in the same person’s possession or under their control in a vehicle; (iii) employs a rotating cylinder capable of accepting more than 10 rounds of ammunition or more than 5 shotgun shells; or (iv) is an assault-style firearm. The term “large capacity firearm” shall be a secondary designation and shall apply to a weapon in



addition to its primary designation as a firearm, and shall not include, any firearm that: (i) operates by manual bolt, pump, lever or slide action; (ii) is a single-shot weapon; (iii) has been modified so as to render it permanently inoperable or otherwise rendered permanently unable to be designated a large capacity firearm; or (iv) is an antique or relic, theatrical prop or other weapon that is not capable of firing a projectile and which is not intended for use as a functional weapon and cannot be readily modified through a combination of available parts into an operable large capacity firearm.

“License to manufacture firearms”, a valid license to manufacture firearms, rifles and shotguns issued pursuant to 18 U.S.C. 921, et seq and regulations promulgated thereunder.

“Machine gun”, a firearm, loaded or unloaded, which may automatically discharge more than 1 shot by a continuous activation of the trigger, whether originally manufactured as such or modified by automatic conversion, including through the use of an automatic part; provided, that “machine gun” shall include a submachine gun.

“Machine gun”, a weapon of any description or by any name, loaded or unloaded, from which a number of shots or bullets may be rapidly or automatically discharged by 1 continuous activation of the trigger, including a submachine gun; provided, however, that “machine gun” shall also include the finished or unfinished frame or receiver of any such weapon, any part or combination of parts designed and intended solely and exclusively, for use in converting a weapon into a machine gun and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person; and provided further, that “machine gun” shall also include bump stocks, trigger cranks and any other rapid-fire trigger activators.

“Manufacture or assemble”, to fabricate, construct, fit together component parts of or otherwise produce a firearm, rifle, shotgun or completed or unfinished frame or receiver, including through additive, subtractive or other processes; provided, however, that “manufacture or assemble” shall not include firearm reassembly, firearm repair or the making or fitting of special barrels, stocks or trigger mechanisms to firearms, rifles or shotguns.

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

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

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

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

“Petitioner”, as used in sections 131 to 131H, inclusive, the individual that is filing the petition and is a: (i) family or household member; (ii) law enforcement agency or officer, as defined in section 1 of chapter 6E; (iii) health care provider that provided health care services to the respondent within the preceding 6 months; provided, that for the purposes of this clause “health

care provider” shall include a: licensed physician, licensed physician assistant, registered nurse, licensed practical nurse, certified nurse practitioner, certified clinical nurse specialist, certified psychiatric clinical nurse specialist, licensed psychiatrist, licensed psychologist, licensed mental health counselor, licensed marriage and family therapist, licensed alcohol and drug counselor, licensed independent clinical social worker or licensed certified social worker; (iv) principal or assistant principal of an elementary school or secondary school, or administrator of a college or university where the respondent is enrolled; or (v) employer of the respondent.

“Petitioner”, the family or household member, the licensing authority of the municipality wherein the respondent resides or the health care provider filing a petition; provided, however, that any such petitioning health care provider shall be a provider who has provided services to the respondent within the preceding 6 months; provided further, that “health care provider” shall include a licensed physician, licensed physician assistant, registered nurse, licensed practical nurse, certified nurse practitioner, certified clinical nurse specialist, certified psychiatric clinical nurse specialist, licensed psychiatrist, licensed psychologist, licensed mental health counselor, licensed marriage and family therapist, licensed alcohol and drug counselor, licensed independent clinical social worker or licensed certified social worker.

“Privately made firearm”, a firearm manufactured or assembled by an individual who is not a licensed manufacturer; provided, however, that “privately made firearm” shall not include firearms manufactured or assembled by persons licensed under section 125 in the course of their business activities.

“Prevention professional”, shall have the same meaning as described by the National Uniform Claim Committee, or its successor, pursuant to NUCC Code Number 405300000X.

“Rapid-fire trigger activator”, any: (i) manual, power-driven or electronic device that is designed and functions to increase the rate of fire of a semiautomatic firearm, rifle or shotgun when the device is attached to the weapon; (ii) part of a semiautomatic firearm, rifle or shotgun or combination of parts that is designed and functions to increase the rate of fire of a semiautomatic firearm, rifle or shotgun by eliminating the need for the operator of the weapon to make a separate movement for each individual function of the trigger; or (iii) other device, part or combination of parts that is designed and functions to substantially increase the rate of fire of a semiautomatic firearm, rifle or shotgun above the standard rate of fire for semiautomatic weapons that are not equipped with that device, part or combination of parts; provided, however, that adjusting or using a device to adjust the trigger pull weight of a firearm, rifle or shotgun or adjusting or replacing a magazine spring in a firearm, rifle or shotgun shall not cause the firearm, rifle or shotgun to be considered to have a rapid-fire trigger activator.

“Receiver”, the part of a rifle or shotgun that provides housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence, even if pins or other attachments are required to connect such component to the housing or structure. Any such part that is identified with an importer’s or manufacturer’s serial number shall be presumed, absent an official determination by the Bureau of Alcohol, Tobacco, Firearms and

Explosives in the United States Department of Justice or other reliable evidence to the contrary, to be the receiver of the weapon.

“Receiver”, the part of a rifle or shotgun, or variants thereof, that provides the housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence, even if pins or other attachments are required to connect the component to the housing or structure; provided, however, that any such part that is identified with an importer's or manufacturer's serial number shall be presumed to be the receiver of the weapon unless there is an official determination by the Bureau of Alcohol, Tobacco, Firearms and Explosives or there exists other reliable evidence to the contrary.

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

“Rifle”, a weapon with a barrel length of not less than 16 inches and will, is designed to, or may readily be converted to, discharge a shot or bullet, other than by compressed air, for each pull of the trigger, or the completed or unfinished receiver of any such weapon.

“Security exemplar”, as defined in 18 U.S.C. 922. (Used in the new definition of undetectable firearms, etc.)

- Federal Definition: means an object, to be fabricated at the direction of the Attorney General, that is - (i) constructed of, during the 12-month period beginning on the date of the enactment of this subsection, 3.7 ounces of material type 17-4 PH stainless steel in a shape resembling a handgun; and (ii) suitable for testing and calibrating metal detectors:

“Secured in a locked container”, secured in a container that is capable of being unlocked only by means of a key, combination or similar means, including in an unoccupied motor vehicle, a locked trunk not accessible from the passenger compartment, a locked console or locked glovebox.

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

“Serial number”, an identifying number placed on a firearm by a federally licensed firearms manufacturer, importer or dealer who is authorized by federal law to serialize firearms, or a serial number issued by the director of the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States Department of Justice or the department of criminal justice information services.

“Serialization”, the process of conspicuously engraving, casting or otherwise permanently embedding a unique serial number on a firearm frame or receiver; provided, that the serial number shall be placed in a manner not susceptible to being readily obliterated, altered or removed and shall be engraved, cast or otherwise permanently embedded to a depth of not less than .003 inches and in a print size not less than 1/16 inch; and provided further, that serialization

of firearms, frames and receivers made from non-metallic materials shall be accomplished by using a metal plate permanently embedded in the material of the frame or receiver.

“Shotgun”, a weapon with a barrel length of not less than 18 inches with an overall length of not less than 26 inches and will, is designed to, or may readily be converted to, discharge a shot or bullet, other than by compressed air, for each pull of the trigger, or the completed or unfinished receiver of any such weapon.

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

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

“Undetectable firearm, rifle or shotgun”, a firearm, rifle or shotgun manufactured, assembled or otherwise comprised entirely of nonmetal substances that: (i) after the removal of grips, stocks and magazines, is not detectable as a security exemplar by a walk-through metal detector calibrated to detect the security exemplar; or (ii) includes a major component as defined in 18 U.S.C. 922 that, if subjected to inspection by the types of x-ray machines commonly used at airports, would not generate an image that accurately depicts the shape of the component.

“Unfinished frame or receiver”, a forging, casting, printing, extrusion, machined body or similar item that is: (i) designed to or may readily be completed, assembled or otherwise converted to function as a frame or receiver; or (ii) marketed or sold to the public to become or be used as the frame or receiver of a functional firearm, rifle or shotgun once completed, assembled or otherwise converted; provided, however, that “unfinished frame or receiver” shall not include a component designed and intended for use in an antique weapon.

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

“Valid serial number”, a serial number that has been imprinted by a federal licensee authorized to serialize firearms in accordance with federal law or that has otherwise been assigned to a firearm, rifle, shotgun or completed or unfinished frame or receiver pursuant to the laws of any state or pursuant to 26 U.S.C. 5842 and the regulations promulgated thereunder.