

Definitions for H.4139
Section 1 – 135 (10-26-2023)

SECTION 11

- “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.
- “Interpersonal violence”, the intentional use of physical force or power against other persons by an individual or small group of individuals.
- “Prevention professional”, shall have the same meaning as described by the National Uniform Claim Committee, or its successor, pursuant to NUCC Code Number 405300000X.
- “Certified violence prevention professional”, a prevention professional certified pursuant to subsections (c) and (d) of this section.

SECTION 19

- “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.

SECTION 20

- “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).

SECTION 21

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

SECTION 23

- “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.

SECTION 24

- “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.

SECTION 26

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

SECTION 27

- “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.

SECTION 28

- “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.

SECTION 30

- “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.
- “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.

SECTION 31

- “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.

- “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.

SECTION 32

- “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.
- “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.

SECTION 34

- “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.

SECTION 35

- “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.

SECTION 36

- “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.
- “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.