

## Gun Owners' Action League

### H.4139 Lawful Citizens Imprisonment Act

#### Abbreviated Summary

##### **Prohibited Areas – must have expressed permission to be in possession.**

- A place owned, leased, or under the control of state, county or municipal government.
- Any private dwelling. Including any homeowners' association, community association, planned community association, condominium association, etc.
- 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.
- Law Enforcement are exempt in their "personal capacity" only if carrying their service firearm, but are not allowed to carry "Large Capacity Firearms" off duty.

##### **General Matters:**

- The new definition of "Assault Style Firearm" could potentially ban all semi-automatic rifles and shotguns.
- The definition of "Common Long Gun" specifically excludes any type of semi-automatics. It would ban the purchase, and possession of a semi-automatic for anyone under 21.
- Someone licensed as a bona fide collector, Curio and Relics) can only purchase any type of firearm through a licensed Massachusetts retailer.
- 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.
- 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.
- The new definition of "Large Capacity Feeding Device" 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.
- Exemptions for law enforcement and other government agents within their "official duties" only.
- Military and law enforcement cannot possess large capacity firearms off duty.
- Removes the 90-day grace period for expired licenses.
- Adds to the prohibited list a Biden initiative for anyone who had an appointed guardian or conservator.
- 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, manufactured 1899 or prior.
- A new requirement is to report to the state the "loaning" of a firearm.
- Retailers would have to register any new inventory within seven days.
- Mandatory training curriculum 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.
- Creates a backdoor manufacturer liability under the “safety devices” section.
- Severely restricts the ability of nonresidents to acquire a Massachusetts License to Carry.
- Nonresident law enforcement prohibited from possessing “assault style firearms”.
- Nonresident junior shooters/hunters under 18 cannot possess a semi-automatic rifle or shotgun nor a pistol or revolver for any purpose.
- Adds ammunition to the limit of four private transactions per calendar year.
- Common carriers (UPS, FedEx, etc.) must meet all storage and transportation requirements.
- Requires new residents moving into the commonwealth or acquired by heirs must be serialized within 60 days and registered.
- Massive expansion of “Red Flag laws. Drastically expands the people who can file a petition.

## **Retailers**

- Creates Uniform standards of security for business premises.
- 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.