

SENATE No. 01992

The Commonwealth of Massachusetts

PRESENTED BY:

Richard T. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to surrender and storage

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

Richard T. Moore

Worcester and Norfolk

George N. Peterson, Jr.

9th Worcester

SENATE No. 01992

By Mr. Richard T. Moore, a petition (subject to Joint Rule 12) of Richard T. Moore and George N. Peterson, Jr. for legislation relative to the surrender of firearms and ammunition to licensing authorities. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 2263 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to surrender and storage

□.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 129D of chapter 140 of the General Laws, as appearing in the 2008
2 Official Edition, is hereby amended by striking out the words:- “Such person, or his legal
3 representative, shall have the right, at any time up to one year after said delivery or surrender, to
4 transfer such firearms, rifles, shotguns, and machine guns and ammunition to any licensed dealer
5 or any other person legally permitted to purchase or take possession of such firearms, rifles,
6 shotguns and machine guns and ammunition and upon notification in writing by the purchaser or
7 transferee and the former owner, the licensing authority shall within ten days deliver such
8 firearms, rifles, shotguns and machine guns and ammunition to the transferee or purchaser and

9 due care shall be observed by the licensing authority in the receipt and holding of any such
10 firearm, rifle, shotgun or machine gun and ammunition.” and inserting in place thereof the
11 following words:- “After one year of the disposition of the case, providing no appeals are
12 pending, the licensing authority, at its discretion, may dispose of any firearms, rifles, shotguns or
13 machine guns and ammunition that were evidence in such cases, except in capital cases, through
14 trade or for disposal to properly licensed distributors or firearms dealers.”

15 SECTION 2. Section 129D of chapter 140 of the General Laws, as so appearing, is
16 hereby amended by adding, following the words “by any means” in line 21, the following:-
17 “including weapons involved in a domestic violence case under chapter 209A,”

18 SECTION 3. Section 129D of chapter 140 of the General Laws, as so appearing, is
19 hereby amended by adding, following the word “section”, in line 37, the following:- “A receipt
20 and inventory provided by a storage dealer, or the completion by said dealer of any required
21 form under the regulations implementing this section, will satisfy the requirements under chapter
22 140, section 131, that a police officer or police department issue a receipt and prepare an
23 inventory.”

24 SECTION 4. Section 129D of chapter 140 of the General Laws, as so appearing, is
25 hereby amended by striking out in lines 43-46 the words “shall be sold at public auction by the
26 colonel of the state police to the highest bidding person legally permitted to purchase and possess
27 said firearms, rifles, shotguns or machine guns and ammunition and the proceeds shall be
28 remitted to the state treasurer” and inserting in place thereof the following words:- “may be
29 disposed of by the licensing authority”.

30 SECTION 5. Section 129D of chapter 140 of the General Laws, as so appearing, is
31 hereby amended by inserting after the third paragraph the following paragraph:-

32 The licensing authority, at its discretion, may trade or dispose of surplus, donated,
33 abandoned or junk firearms, rifles, shotguns or machine guns and ammunition to properly
34 licensed distributors or firearms dealers.