

HOUSE No. 2369

The Commonwealth of Massachusetts

PRESENTED BY:

David Paul Linsky

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 adoption of the accompanying bill:

An Act to raise the age for possession of a firearm.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/20/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>1/30/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/7/2023</i>
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>2/8/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/23/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/4/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>3/6/2023</i>

HOUSE No. 2369

By Representative Linsky of Natick, a petition (accompanied by bill, House, No. 2369) of David Paul Linsky and others for legislation to raise the age for possession of firearms. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to raise the age for possession of a firearm.

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 129B of chapter 140 of the General Laws, as so appearing, is
2 hereby amended by striking out subsections (iv) and (v) of paragraph 1 and inserting in place
3 thereof the following subsection:-

4
5 (iv) is at the time of the application younger than 18 years of age; provided, however, that
6 in accordance with Section 131E, a firearm identification card issued to a person under
7 21 years of age shall only authorize the person to purchase a rifle or shotgun that is
8 manually operated by bolt, pump, lever or slide action, unless the person is a member of
9 the National Guard, armed forces of the United States, or a peace officer.

10 SECTION 2. Section 130 of Chapter 140 of the General Laws, as so appearing, is hereby
11 amended as follows:

12

13 Whoever sells or furnishes a rifle, shotgun or ammunition to any alien 21 years of age or
14 older who does not hold a permit card issued to that alien pursuant to section 131H or, except as
15 provided in this section, section 130 ½, or section 131E, whoever sells or furnishes any alien or
16 any person under 21 years of age a rifle, shotgun, machine gun or ammunition, or whoever sells
17 or furnishes to any person under 21 years of age a firearm or large capacity rifle or shotgun or
18 ammunition therefor shall have the license to sell firearms, rifles, shotguns, machine guns or
19 ammunition revoked and shall not be entitled to apply for such license for 10 years from the date
20 of such revocation and shall be punished by a fine of not less than \$1,000 nor more than \$10,000,
21 or by imprisonment in a state prison for not more than 10 years or by imprisonment in a house of
22 correction for not more than 2½ years or by both such fine and imprisonment.

23 SECTION 3. Section 131E of Chapter 140 of the General Laws, as so appearing, is
24 hereby amended as follows:

25 Any resident of the commonwealth may purchase firearms, rifles, shotguns and
26 ammunition feeding devices from any dealer licensed under section 122, or from such person as
27 shall be qualified under section 128A, or ammunition from a licensee under section 122B,
28 subject to the following conditions and restrictions:

29

30 (a) rifles, shotguns and feeding devices therefor may be so purchased only upon
31 presentment of:

32 (i) a valid firearm identification card issued under section 129B; or (ii) a valid Class A or
33 Class B license to carry firearms issued under section 131; or (iii) valid proof of exempt status
34 under section 129C; provided, however, that large capacity rifles and shotguns and large capacity
35 feeding devices therefor may be so purchased only upon presentment of a Class A or Class B
36 license to carry firearms issued under said section 131; and provided further, that no rifle or
37 shotgun or ammunition or ammunition feeding device therefor shall be sold to any person less
38 than 18 21 years of age, except as provided in subdivision (c) of this section; and provided
39 further, that no large capacity rifle or shotgun or large capacity feeding device therefor shall be
40 sold to any person less than 21 years of age;

41 (b) firearms and feeding devices therefor may be so purchased only upon presentment of:

42 (i) a valid Class A or Class B license to carry firearms issued under section 131; or (ii) a
43 valid firearm identification card issued under section 129B together with a valid permit to
44 purchase a firearm issued under section 131A; or (iii) a valid permit to purchase a firearm issued
45 under section 131A together with valid proof of exempt status under section 129C; provided,
46 however, that large capacity firearms and large capacity feeding devices therefor may be so
47 purchased only upon presentment of: (i) a valid Class A license to carry firearms issued under
48 section 131; or (ii) a valid firearm identification card issued under section 129B together with a
49 valid and proper permit to purchase a firearm issued under section 131A; or (iii) a valid and
50 proper permit to purchase a firearm issued under section 131A together with valid proof of
51 exempt status under section 129C; and provided further, that neither a firearm identification card

52 issued under section 129B, nor proof of exempt status under section 129C, shall be valid for the
53 purpose of purchasing any firearm or ammunition feeding device therefor without being
54 presented together with a valid and proper permit to purchase issued under section 131A; and
55 provided further, that an alien permit to possess a rifle or shotgun shall not be valid for the
56 purpose of purchasing firearms or ammunition or ammunition feeding devices therefor; and
57 provided further, that no firearm or ammunition or ammunition feeding device therefor shall be
58 sold to any person less than 21 years of age.

59

60 (c) The prohibition in subdivision (a) on selling a rifle or shotgun or ammunition or
61 ammunition feeding device therefor to a person less than 21 years of age shall not apply if:

62 (i) The purchaser is a member of the National Guard, armed forces of the United States,
63 or a police officer or peace officer; or

64 (ii) The purchaser is at least 18 years of age and is purchasing a rifle or shotgun that is
65 manually operated by bolt, pump, lever or slide action, or is purchasing ammunition or an
66 ammunition feeding device for use in such a rifle or shotgun.

67 Any person who uses said license to carry firearms or firearm identification card for the
68 purpose of purchasing a firearm, rifle or shotgun for the unlawful use of another, or for resale to
69 or giving to an unlicensed person, shall be punished by a fine of not less than one thousand nor
70 more than fifty thousand dollars, or by imprisonment for not less than two and one-half years
71 nor more than ten years in a state prison, or by both such fine and imprisonment. A conviction of
72 a violation of this section shall be reported forthwith by the court to the licensing authority which
73 issued the license or firearm identification card, which shall immediately revoke the license or

74 firearm identification card of such person. No new license or firearm identification card under
75 section one hundred and twenty-nine B or section one hundred and thirty-one shall be issued to
76 any such person within two years after the date of said revocation.

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