

By Miss Amick of Bedford, petition of Carol C. Amick for legislation to regulate the use of certain firearms and ammunition by those exercising police powers within the Commonwealth. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Six.

AN ACT TO REGULATE THE USE OF CERTAIN FIREARMS AND AMMUNITION BY THOSE EXERCISING POLICE POWERS WITHIN THE COMMONWEALTH.

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. Chapter 147 of the General Laws is hereby
2 amended by inserting after section 2 the following new
3 sections:—

4 *Section 2A.* The commissioner of public safety shall approve
5 all firearms and ammunition necessary in the performance of
6 police duties to be carried by any person appointed as a police
7 officer of any town, city, or county, metropolitan district
8 commission, Massachusetts Bay Transportation Authority,
9 capitol police, registry of motor vehicles, or state police, any
10 member of a sheriff's department, any person appointed as a
11 special police officer under sections 9 through 10K, inclusive, of
12 chapter 147 and any member of a reserve police force of a city or
13 town. The commissioner shall also approve all firearms and
14 ammunition carried by any licensee in the private detective
15 business as defined by section 22 of chapter 147.

16 Prohibited ammunition shall include, but not be limited to,
17 irregular shaped bullets such as hollow-point or dum-dum
18 bullets, bullets which expand or flatten easily in the human body,
19 bullets filled with glass, bullets containing any substance that

20 would unnecessarily inflame the wound, and bullets with scored
21 surfaces or filed off ends. Regulations for testing and evaluating
22 firearms and ammunition and guidelines enumerating approved
23 and unapproved firearms and ammunition shall be promulgated
24 by the commissioner after public hearing subject to the provisions
25 of section 2 of chapter 30A.

26 *Section 2B.* The commissioner may grant an exemption from
27 this section to a police department whose records show that on an
28 average over a five year period, more than five innocent
29 bystanders were hit by round nose or "standard" ammunition
30 which ricocheted or went through the target. Upon application
31 from the police chief and city council or the police chief and town
32 selectmen for an exemption, the commissioner shall hold a public
33 hearing subject to the provisions of section 2 of chapter 30A.

34 *Section 2C.* Any person carrying or issuing firearms or
35 ammunition subject to approval by the commissioner under
36 section 2A of this chapter, and who carries or issues any
37 unapproved firearm or ammunition in his official capacity shall
38 be punished by imprisonment for not less than six months nor
39 more than two years in a jail or house of correction; except, no
40 person subject to this section shall be found in violation of this
41 section if the carrying of unapproved firearms or ammunition was
42 the result of an order from a superior with responsibility for
43 issuing weapons. This section shall not limit the imposition of any
44 other criminal or civil sanctions for which the violator may be
45 liable.

1 SECTION 2. This act shall become effective on January 1,
2 1977.