

By Mr. Flaherty of Boston, petition of Micahel F. Flaherty and another for legislation to further define the definition of a firearm and sawed-off shot gun and regulating the ownership thereof. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Three.

AN ACT FURTHER DEFINING THE DEFINITION OF A FIREARM AND SAWED-OFF SHOTGUN, REGULATING THE OWNERSHIP, POSSESSION OR CARRYING OF A SAWED-OFF SHOTGUN, AND THE PENALTY THEREFOR.

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 121 of Chapter 140, Massachusetts Gen-
2 eral Law, is hereby amended by striking out the first sentence and
3 inserting in place thereof the following sentence: —

4 In sections one hundred and twenty-two to one hundred and
5 thirty-one F, inclusive, "firearm" shall mean a pistol, revolver or
6 other weapon of any description loaded or unloaded, from which a
7 shot or bullet can be discharged and of which the length of barrel(s)
8 is less than sixteen inches or eighteen inches in the case of a shotgun
9 as originally manufactured, and the term "length of barrel" shall
10 mean that portion of a firearm, rifle, shotgun or machine gun
11 through which a shot or bullet is driven, guided or stabilized, and
12 shall include the chamber.

1 SECTION 2. Section 121 of Chapter 140, Massachusetts Gen-
2 eral Law is hereby amended by inserting after the first sentence the
3 following sentence: —

4 A "Sawed-off shotgun" shall mean any weapon made from a
5 shotgun, whether by alteration, modification or otherwise, if such
6 weapon as modified has one or more barrels less than eighteen
7 inches in length or as modified has an overall length of less than
8 twenty-six inches.

1 SECTION 3. Chapter 269, Section 10, Massachusetts General
2 Law, is hereby amended by striking out Clause (c) in its entirety
3 and inserting in place thereof the following: —

4 Whoever, except as provided by law, possesses a machine gun, as
5 defined in section one hundred and twenty-one of chapter one
6 hundred and forty, without permission under section one hundred
7 and thirty-one of said chapter one hundred and forty; or whoever
8 owns, possesses or carries on his person, or carries on his person or
9 under his control in a vehicle, a sawed-off shotgun, as defined in
10 section one hundred and twenty-one of chapter one hundred and
11 forty, without being the holder of a valid license to carry firearms
12 issued in accordance with the provisions of section one hundred
13 and thirty-one of chapter one hundred and forty, shall be punished
14 by imprisonment in the state prison for life, or for any term of years
15 provided that any sentence imposed under the provisions of this
16 clause shall be subject to the minimum requirements of Clause (A)
17 of this section.

1 SECTION 4. Chapter 269, Section 10, Massachusetts General
2 Law, is hereby further amended by deleting clause (k).