

By Mr. Barrios, a petition (accompanied by bill, Senate, No. 2113) of Jarrett T. Barrios, Cheryl A. Rivera, Cynthia Stone Creem, Shirley Owens-Hicks and other members of the General Court for legislation to prohibit the sale, transfer or possession of “cop killer” handguns and high-powered rifles. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT PROHIBITING THE SALE, TRANSFER OR POSSESSION OF “COP KILLER” HANDGUNS AND HIGH-POWERED RIFLES.

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 of the General Laws,
2 as most recently amended by section 3 of chapter 150 of the acts
3 of 2004, is hereby amended by striking out the first sentence of
4 the definition of “Ammunition” and inserting in place thereof the
5 following sentence:— “Ammunition” cartridges or cartridge
6 cases, except .50 BMG cartridges, primers (igniter), bullets or
7 propellant powder designed for use in any firearm, rifle or
8 shotgun.

1 SECTION 2. Said section 121 of said chapter 140, as so
2 appearing, is hereby further amended by striking out, in line 17,
3 the words “and (viii)” and inserting in place thereof the following
4 words:—
5 “(viii) Herstal Five-sevenN pistol; and (ix)”

1 SECTION 3. Said section 121 of said chapter 140, as so
2 appearing, is hereby further amended by adding the following
3 2 definitions:—
4 “.05 BMG rifle”, a center fire rifle capable of firing a .50 BMC
5 cartridge that is not an assault weapon or a machine gun.

6 “.05 BMG cartridge”, a cartridge designed and intended to be
7 fired from a center fire rifle and meets the following criteria: (i) it
8 measures 5.54 inches from the base to the tip of the bullet; (ii) the
9 bullet diameter for the cartridge measures from .510 to, and
10 including, .511 inch; (iii) the case base diameter for the cartridge
11 measures from .800 inch to, and including, .804 inch; and (iv) the
12 cartridge case length is 3.91 inches.

1 SECTION 4. Said chapter 140 is hereby further amended by
2 adding the following section:—

3 Section 131Q. Whoever sells, offers for sale, transfers or pos-
4 sses a .05 BMG rifle or .05 BMG cartridge shall be punished,
5 for a first offense, by a fine of not less than \$1,000 nor more than
6 \$10,000 or by imprisonment for not less than 1 year nor more than
7 10 years, or by both such fine and imprisonment, and for a second
8 offense, by a fine of not less than \$5,000 nor more than \$15,000
9 or by imprisonment for not less than 5 years nor more than 15
10 years, or by both such fine and imprisonment.

11 The provisions of this section shall not apply to: (i) the posses-
12 sion by a law enforcement officer for purposes of law enforce-
13 ment; or (ii) the possession by an individual who is retired from
14 service with a law enforcement agency and is not otherwise pro-
15 hibited from receiving such a weapon or cartridge from such
16 agency upon retirement.