

By Ms. Tracy of Boston, petition of Susan M. Tracy and W. Paul White for legislation to further define the laws relative to the unlicensed possession of firearms. Criminal Justice.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT FURTHER DEFINING THE LAWS RELATIVE TO CRIMINAL JUSTICE.

1     *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose, which is to immediately regulate the possession  
3 of firearms, therefore it is hereby declared to be an emergency law,  
4 necessary for the immediate preservation of the public welfare.

*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. The purpose and intent of this act is to impose  
2 a minimum one year mandatory jail sentence without exception  
3 for any person who is unlicensed to possess a firearm, rifle or  
4 shotgun away from his home or place of business and does so.  
5 For the purpose of this act an automobile or any other form of  
6 transportation is considered as being away from home or place  
7 of business. The intent of this act is not to change any other law  
8 or statute providing stricter penalties for carrying other weapons  
9 or for allied crimes.

1     SECTION 2. Section 129B of chapter 140 of the General Laws  
2 is hereby amended by striking out the fifth paragraph as amended  
3 by section 2 of chapter 312 of the acts of 1972, and inserting in  
4 place thereof the following paragraph: —

5     Said card shall be valid until revoked or suspended and shall  
6 be valid throughout the commonwealth in the event of a change  
7 of residence or place of business by the cardholder. The cardholder  
8 shall notify, in writing, the issuing authority for the jurisdiction  
9 into which he has entered, and the commissioner of public safety

10 in the event of such change of address. Such notification shall be  
11 made within thirty days of said change of address. The fee for  
12 an application and card shall be two dollars which shall be payable  
13 to the licensign authority and shall not be prorated or refunded  
14 in case of revocation or denial.

1 SECTION 3. Section 10 of chapter 269 of the General Laws  
2 is hereby amended by striking out subsection (a), as most recently  
3 amended by section 1 of chapter 175 of the acts of 1978, and  
4 inserting in place thereof the following subsection: —

5 (a) Whoever, except as provided or exempted by statute,  
6 knowingly has in his possession; or alleges, represents or  
7 intentionally appears to have in his possession in furtherance of  
8 the commission or attempted commission of a crime; or  
9 knowingly has under his control in a vehicle; a firearm, loaded  
10 or unloaded, as defined in section one hundred and twenty-one  
11 of chapter one hundred and forty without either:

12 (1) being present in or on his residence or place of business;  
13 or

14 (2) having in effect a license to carry firearms issued under  
15 section one hundred and thirty-one of chapter one hundred and  
16 forty; or

17 (3) having in effect a license to carry firearms issued under  
18 section one hundred and thirty-one F of chapter one hundred and  
19 forty; or

20 (4) having complied with the provisions of section one hundred  
21 and thirty-one G of chapter one hundred and forty; and

22 (5) having complied as to possession of an air rifle or BB gun  
23 with the requirements imposed by section twelve B; and whoever  
24 knowingly has in his possession; or knowingly has under control  
25 in a vehicle; a rifle or shotgun, loaded or unloaded, without either:

26 (1) being present in or on his residence or place of business;  
27 or

28 (2) having in effect a license to carry firearms issued under  
29 section one hundred and thirty-one of chapter one hundred and  
30 forty; or

31 (3) having in effect a license to carry firearms issued under  
32 section one hundred and thirty-one F of chapter one hundred and  
33 forty; or

34 (4) having in effect a firearms identification card issued under  
35 section one hundred and twenty-nine B of chapter one hundred  
36 and forty; or

37 (5) having complied with the requirements imposed by section  
38 one hundred and twenty-nine C of chapter one hundred and forty  
39 upon ownership or possession of rifles and shotguns; or

40 (6) having complied as to possession of an air rifle or BB gun  
41 with the requirements imposed by section twelve B; shall be  
42 punished by imprisonment in the state prison for not less than  
43 two and one-half years nor more than five years, or for not less  
44 than one year nor more than two and one-half years in a jail or  
45 house of correction. The sentence imposed on such person shall  
46 not be reduced to less than one year, nor suspended, nor shall  
47 any person convicted under this subsection (a) be eligible for  
48 probation, parole, work release, or furlough or receive any  
49 deduction from his sentence for good conduct until he shall have  
50 served one year of such sentence. Provided, however, that the  
51 commissioner of correction may on the recommendation of the  
52 warden, superintendent, or other person in charge of a  
53 correctional institution, grant to an offender committed under this  
54 subsection a temporary release in the custody of an officer of such  
55 institution for the following purposes only: to attend the funeral  
56 of a relative; to visit a critically ill relative; or to obtain emergency  
57 medical or psychiatric service unavailable at said institution.  
58 Prosecutions commenced under this subsection shall neither be  
59 continued without a finding nor placed on file. No one shall enter  
60 a nolle prosequi to a complaint or indictment charging a violation  
61 of this subsection.

62 The provisions of section eighty-seven of chapter two hundred  
63 and seventy-six shall not apply to any person seventeen years of  
64 age or older, charged with a violation of this subsection, or to  
65 any child between ages fourteen and seventeen so charged, if the  
66 court is of the opinion that the interests of the public require that  
67 he should be tried as an adult for such offense instead of being  
68 dealt with as a child.

69 The provisions of this subsection shall not affect the licensing  
70 requirements of section one hundred and twenty-nine C of chapter  
71 one hundred and forty which require every person not otherwise  
72 duly licensed or exempted to have been issued a firearms

73 identification card in order to possess a firearm, rifle or shotgun  
74 in his residence or place of business.

1 SECTION 4. Said section 10 of said chapter 269, as most  
2 recently amended by section 2 of chapter 649 of the acts of 1974,  
3 is hereby further amended by striking out subsection (h) and  
4 inserting in place thereof the following subsection: —

5 (h) Whoever owns, possesses or transfers possession of a  
6 firearm, rifle, shotgun, or ammunition without complying with  
7 the requirements relating to the firearm identification card  
8 provided for in section one hundred and twenty-nine C of chapter  
9 one hundred and forty shall be punished by imprisonment in a  
10 jail or house of correction for not more than one year or by a  
11 fine of not more than five hundred dollars. A second violation  
12 of this subsection shall be punished by imprisonment in a jail or  
13 house of correction for not more than two years or by a fine of  
14 not more than one thousand dollars or both. A violation of this  
15 subsection shall not be considered a lesser included offense to a  
16 violation of subsection (a), nor shall any one prosecute as a  
17 violation of this subsection the mere possession of a firearm, rifle,  
18 or shotgun by an unlicensed person not being present in or on  
19 his residence or place of business, nor shall the court allow an  
20 attempt to so prosecute.

1 SECTION 5. Section 121 of chapter 140 of the General Laws  
2 is hereby amended by striking out the third paragraph thereof,  
3 as amended by section 1 of chapter 799 of the acts of 1969, and  
4 inserting in place thereof the following: —

5 Sections one hundred and twenty-two to one hundred and  
6 twenty-nine D, inclusive, and sections one hundred and thirty-  
7 one, one hundred and thirty-one A, one hundred and thirty-one  
8 B and one hundred and thirty-one E shall not apply to

9 (a) any firearm, rifle or shotgun including any firearm, rifle or  
10 shotgun with matchlock, flintlock, percussion cap, or similar type  
11 of ignition system manufactured in or before eighteen hundred  
12 and ninety-eight;

13 (b) any replica, or any firearm, rifle or shotgun described in  
14 clause (A) if such replica (i) is not designed or redesigned for using  
15 rimfire or conventional centerfire fixed ammunition, or (ii) uses

16 rimfire or conventional centerfire fixed ammunition which is no  
17 longer manufactured in the United States and which is not readily  
18 available in the ordinary channels of commercial trade; and  
19 (c) manufacturers or wholesalers of firearms, rifles, shotguns  
20 or machine guns.

1 SECTION 6. The provisions of this act are severable, and if  
2 any of its provisions shall be held unconstitutional by any court  
3 of competent jurisdiction, the decision of such court shall not  
4 affect or impair any of the remaining provisions.

The first part of the report deals with the general situation of the country and the progress of the war. It is a very interesting and well-written account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

The second part of the report deals with the military operations of the year. It is a very detailed and accurate account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

The third part of the report deals with the political and economic situation of the country. It is a very interesting and well-written account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

The fourth part of the report deals with the social and cultural situation of the country. It is a very interesting and well-written account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

The fifth part of the report deals with the international situation of the world. It is a very interesting and well-written account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

The sixth part of the report deals with the future of the world. It is a very interesting and well-written account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

The seventh part of the report deals with the conclusion of the war. It is a very interesting and well-written account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

The eighth part of the report deals with the aftermath of the war. It is a very interesting and well-written account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

The ninth part of the report deals with the legacy of the war. It is a very interesting and well-written account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

The tenth part of the report deals with the lessons learned from the war. It is a very interesting and well-written account of the events of the year. The author has done a great deal of research and has gathered a wealth of material. The report is well organized and easy to read. It is a valuable contribution to the history of the war.

HOUSE

No. 4476

AN ACT TO AMEND THE ACTS RELATIVE TO THE REGISTRATION OF VOTERS IN THE DISTRICT OF COLUMBIA

SECTION 1. That the following provisions be and they are hereby enacted into law:

Section 101. The following provisions shall be and they are hereby enacted into law:

Section 102. The following provisions shall be and they are hereby enacted into law:

Section 103. The following provisions shall be and they are hereby enacted into law:

Section 104. The following provisions shall be and they are hereby enacted into law:

Section 105. The following provisions shall be and they are hereby enacted into law:

