SENATE DOCKET, NO. 1386 FILED ON: 1/18/2013

SENATE . . . . . No. 1160

The Commonwealth of Massachusetts

PRESENTED BY:

Richard T. Moore

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 passage of the accompanying:

An Act relative to surrender and storage.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard T. Moore	*Worcester and Norfolk*

SENATE DOCKET, NO. 1386 FILED ON: 1/18/2013

SENATE . . . . . No. 1160

By Mr. Richard T. Moore, a petition (accompanied by bill, Senate, No. 1160) of Richard T. Moore for legislation relative to the surrender of firearms and ammunition to licensing authorities. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1992* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to surrender and storage.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 129D of chapter 140 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 8 through 19, the last sentence in its entirety and inserting in place thereof the following sentence:-

"After one year of the disposition of the case, providing no appeals are pending, the licensing authority, at its discretion, may dispose of any firearms, rifles, shotguns or machine guns and ammunition that were evidence in such cases, except in capital cases, through trade, sale or for disposal to any properly licensed distributor or firearms dealer with the proceeds of any such sale or transfer being remitted or credited to the police department for use in purchasing weapons or related law enforcement equipment or supplies."

SECTION 2. Said section 129D of chapter 140 of the General Laws, as so appearing, is hereby further amended by adding, following the words "by any means" in line 21, the following:- "and at any time, including weapons involved in a domestic violence case under chapter 209A,"

SECTION 3. Said section 129D of chapter 140 of the General Laws, as so appearing, is hereby amended by adding, in line 37, after the word "section" the following:-

16 “A receipt and inventory provided by a storage dealer, or the completion by said dealer of
17 any required form under the regulations implementing this section, will satisfy the requirements
18 set forth in section 131 of chapter 140 that a police officer or police department issue a receipt or
19 prepare an inventory.”

20 SECTION 4. Said section 129D of chapter 140 of the General Laws, as so appearing, is
21 hereby amended by striking out in lines 41 through 46 the first sentence of the third paragraph,
22 and inserting in place thereof the following:-

23 “Firearms, rifles, shotguns or machine guns and ammunition not disposed of after deliver
24 or surrender according to the provisions of this section may be disposed of by the licensing
25 authority with the proceeds of any such sale or transfer being remitted or credited to the police
26 department for use in purchasing weapons or related law enforcement equipment or supplies.”

27 SECTION 5. Said section 129D of chapter 140 of the General Laws, as so appearing, is
28 hereby amended by inserting after the third paragraph the following paragraph:-

29 “The licensing authority, at its discretion, may at any time trade or dispose of surplus,
30 donated, abandoned or junk firearms, rifles, shotguns or machine guns and ammunition to
31 properly licensed distributors or firearms dealers with the proceeds of any such sale or transfer
32 being remitted or credited to the police department for use in purchasing weapons or related law
33 enforcement equipment or supplies.”