SENATE DOCKET, NO. 155 FILED ON: 1/18/2011

SENATE . . . . . No. 1234

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

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 establishing the Massachusetts armor piercing law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James E. Timilty	
	☐ *[District]*
	☐

SENATE DOCKET, NO. 155 FILED ON: 1/18/2011

SENATE . . . . . No. 1234

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1234) of James E. Timilty for legislation to establish the Massachusetts armor piercing law. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *986* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act establishing the Massachusetts armor piercing law.

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. Chapter 140 of the General Laws is hereby amended by inserting after section 132 the following section: -

Section 133. MASSACHUSETTS ARMOR-PIERCING LAW

A. Definitions

As used in this chapter--

(1) The term "person" and the term "whoever" include any individual, corporation, company, association, firm, partnership, society, or joint stock company.

(2) The term "importer" means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term "licensed importer" means any such person licensed under the provisions of this chapter.

(3) The term "manufacturer" means any person engaged in the business of manufacturing firearms or ammunition for purposes of sale or distribution; and the term "licensed manufacturer" means any such person licensed under the provisions of this chapter.

14 (4)(a) The term "ammunition" means ammunition or cartridge cases, primers, bullets, or
15 propellent powder designed for use in any firearm.

16 (b) The term "armor piercing ammunition" means--

17 (i) a projectile or projectile core which may be used in a handgun and which is
18 constructed entirely (excluding the presence of traces of other substances) from one or a
19 combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium;
20 or

21 (ii) a full jacketed projectile larger than .22 caliber designed and intended for use in
22 a handgun and whose jacket has a weight of more than 25 percent of the total weight of the
23 projectile.

24 (c) The term "armor piercing ammunition" does not include shotgun shot required by
25 Federal or State environmental or game regulations for hunting purposes, a frangible projectile
26 designed for target shooting, a projectile which the Attorney General finds is primarily intended
27 to be used for sporting purposes, or any other projectile or projectile core which the Attorney
28 General finds is intended to be used for industrial purposes, including a charge used in an oil and
29 gas well perforating device.

30 (5) The term "Attorney General" means the Attorney General of the United States .

31 B. It shall be unlawful -

32 (1) for any person to manufacture, import, or possess armor piercing ammunition, except
33 that this paragraph shall not apply to -

34 (a) the manufacture, importation, or possession of such ammunition for the use of the
35 United States or any department or agency thereof or any State or any department, agency, or
36 political subdivision thereof;

37 (b) the manufacture or possession of such ammunition for the purpose of exportation;
38 and

39 (c) any manufacture, importation, or possession for the purposes of testing or
40 experimentation authorized by the Attorney General;

41 (2) for any manufacturer or importer to sell or deliver armor piercing ammunition, except
42 that this paragraph shall not apply to -

43 (a) the sale or delivery by a manufacturer or importer of such ammunition for use of
44 the United States or any department or agency thereof or any State or any department, agency, or
45 political subdivision thereof;

46 (b) the sale or delivery by a manufacturer or importer of such ammunition for the
47 purpose of exportation;

48 (c) the sale or delivery by a manufacturer or importer of such ammunition for the
49 purposes of testing or experimenting authorized by the Attorney General.

50 C. Whoever violates the provisions of this section shall be sentenced to the state prison
51 for any term of years, but not less than ten years.