

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Karyn E. Polito

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 bill:

An Act relative to surrender and storage.

PETITION OF:

NAME:

Karyn E. Polito

DISTRICT/ADDRESS:

11th Worcester

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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:

1 Section 1. Section 129D of chapter 140 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by striking out the words:- “Such person, or his legal
3 representative, shall have the right, at any time up to one year after said delivery or surrender, to
4 transfer such firearms, rifles, shotguns, and machine guns and ammunition to any licensed dealer
5 or any other person legally permitted to purchase or take possession of such firearms, rifles,
6 shotguns and machine guns and ammunition and upon notification in writing by the purchaser or
7 transferee and the former owner, the licensing authority shall within ten days deliver such
8 firearms, rifles, shotguns and machine guns and ammunition to the transferee or purchaser and
9 due care shall be observed by the licensing authority in the receipt and holding of any such
10 firearm, rifle, shotgun or machine gun and ammunition.” and inserting in place thereof the
11 following words:- “After one year of the disposition of the case, providing no appeals are
12 pending, the licensing authority, at its discretion, may dispose of any firearms, rifles, shotguns or
13 machine guns and ammunition that were evidence in such cases, except in capital cases, through
14 trade or for disposal to properly licensed distributors or firearms dealers.”

15 Section 2. Section 129D of chapter 140 of the General Laws, as appearing in the 2006 Official
16 Edition, is hereby amended by adding, following the words “by any means” in line 21, the
17 following:- “including weapons involved in a domestic violence case under chapter 209A,”

18 Section 3. Section 129D of chapter 140 of the General Laws, as appearing in the 2006 Official
19 Edition, is hereby amended by adding, following the word “section”, in line 37, the following:-
20 “A receipt and inventory provided by a storage dealer, or the completion by said dealer of any
21 required form under the regulations implementing this section, will satisfy the requirements

22 under chapter 140, section 131, that a police officer or police department issue a receipt and
23 prepare an inventory.”

24 Section 4. Section 129D of chapter 140 of the General Laws, as appearing in the 2006 Official
25 Edition, is hereby amended by striking out in lines 43-46 the words “shall be sold at public
26 auction by the colonel of the state police to the highest bidding person legally permitted to
27 purchase and possess said firearms, rifles, shotguns or machine guns and ammunition and the
28 proceeds shall be remitted to the state treasurer” and inserting in place thereof the following
29 words:- “may be disposed of by the licensing authority”.

30 Section 5. Section 129D of chapter 140 of the General Laws, as appearing in the 2006 Official
31 Edition, is hereby amended by inserting after the third paragraph the following paragraph:-

32 The licensing authority, at its discretion, may trade or dispose of surplus, donated,
33 abandoned or junk firearms, rifles, shotguns or machine guns and ammunition to properly
34 licensed distributors or firearms dealers.