

**HOUSE . . . . . No.**

**[LOCAL APPROVAL RECEIVED.]**

**The Commonwealth of Massachusetts**

PRESENTED BY:

**Martin J. Walsh**

*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 possession of armor-piercing ammunition in the city of Boston .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Martin J. Walsh	13th Suffolk

# The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand and Nine  
\_\_\_\_\_

## AN ACT RELATIVE TO POSSESSION OF ARMOR-PIERCING AMMUNITION IN THE CITY OF BOSTON .

*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.*

2 As used in this act, this word shall have the following meaning:

3

4 “Armor-piercing ammunition” (a) a projectile or projectile core which may be used in a handgun and  
5 which is constructed entirely (excluding the presence of traces of other substances) from one or a  
6 combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium; or (b)  
7 a full jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose  
8 jacket has a weight of more than 25 percent of the total weight of the projectile. The term “armor-  
9 piercing ammunition” does not include shotgun shot required by Federal or State environmental or  
10 game regulations for hunting purposes or ammunition designed for target shooting.

11

12 *Section 2.*

13 Notwithstanding any other general or special law to the contrary, no person shall be issued a license to  
14 carry or possess armor-piercing ammunition in the City of Boston, except that the licensing authority  
15 may issue an armor-piercing ammunition license to:

16

17 a. a firearm instructor certified by the municipal police training committee for the sole purpose of  
18 firearm instruction to police personnel; or

19           b. a bona fide collector of firearms upon application or upon application for renewal of such  
20           license.  
21

22    *Section 3.*

23    Notwithstanding any other general or special law to the contrary, no person shall possess or carry  
24    armor-piercing ammunition in the City of Boston without having a valid license issued under section 2 of  
25    this act.

26

27    *Section 4.*

28    Notwithstanding any other general or special law to the contrary, no licensee under a license described  
29    in M.G.L. chapter 140, section 123, located in the City of Boston nor any employee or agent of such a  
30    licensee, shall sell, rent or lease armor-piercing ammunition to anyone other than those authorized in  
31    this act.

32

33    *Section 5.*

34    Nothing in this act shall apply to any of the following:

35           a. Any federal, state or local official required to carry armor-piercing ammunition while engaged in  
36           the performance of their official duties;

37           b. Persons licensed under federal or state law to manufacture, import or sell firearm ammunition  
38           and actually engaged in any such business, but only with respect to activities that are within the  
39           lawful scope of such business. This exemption does not authorize the general private possession  
40           of armor-piercing ammunition, but only such possession that are within the lawful scope of a  
41           licensed business described herein;

42           c. Manufacture, transportation or licensed sale of armor-piercing ammunition to persons  
43           authorized to possess such ammunition under this act; or

44           d. Laboratories having a department of forensic ballistics or specializing in the development of  
45           ammunition or explosive arms.  
46

47    *Section 6.*

48    Any person who violates the provisions of this act shall be punished, for a first offense, by a fine of not  
49    less than one thousand dollars (\$1,000) and not more than ten thousand dollars (\$10,000) or  
50    imprisonment for not less than one year and not more than ten years or by both such fine and  
51    imprisonment. A second or subsequent offense shall be punished by a fine of not less than five thousand  
52    dollars (\$5,000) and not more than fifteen thousand dollars (\$15,000) or by imprisonment of not less  
53    than five years and not more than fifteen years or by both such fine and imprisonment.

54

55 *Section 7.*

56 Within ninety days of the effective date of this act, any person lawfully in possession of armor-piercing  
57 ammunition shall apply to the licensing authority of the City of Boston, or his designee, for a license to  
58 possess such ammunition pursuant to section 2 of this act. Any person denied a license to possess  
59 armor-piercing ammunition pursuant to this act shall, within ninety days of such denial, dispose of the  
60 armor-piercing ammunition in such a way as to not be in violation of this act. Any person who obtains  
61 armor-piercing ammunition that was lawfully held by the previous possessor under this act by bequest  
62 or intestate succession shall, within ninety days of so obtaining, either apply for a license to possess such  
63 armor-piercing ammunition or dispose of such ammunition in a manner not in violation of this act.

64

65 *Section 8.*

66 If any provision of these sections or the application of such provision to any person or circumstance shall  
67 be held invalid, the validity of the remainder of these sections and the applicability of such provision to  
68 other persons or circumstances shall not be affected thereby.

69

70 *Section 9.*

71 The provisions of this act shall take effect upon its passage, but no penalties shall be imposed on  
72 any person in compliance with section 7 of this act.

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