

AN ACT RELATIVE TO THE REDUCTION OF GUN VIOLENCE

Section by Section Summary

SECTION 1. [*Violence, Mental Illness and Substance Abuse*] Requires DCJIS to transmit all information in its control required or permitted under federal law to be included in the National Instant Background Check System to the attorney general of the United States to bring the commonwealth into compliance with the NICS Improvement Amendments Act of 2007.

SECTION 2-3. [*Reducing Gun Trafficking*] Authorizes and requires licensed gun dealers to acquire all available criminal offender record information or CORI prior to hiring new employees.

SECTION 4. [*School Safety*] Requires school districts to hire, subject to appropriation, a school resource officer and schools to develop plans to address the mental health needs of its students and, subject to appropriation, have access to two-way communication devices for communication with police/fire during an emergency.

SECTION 5. [*Violence, Mental Illness and Substance Abuse*] Requires school districts to provide 2 hours of suicide awareness and prevention training to school personnel every 3 years.

SECTION 6. [*Violence, Mental Illness and Substance Abuse*] Requires the division on violence and injury prevention to develop a program of instruction on harm reduction that promotes suicide prevention through safe practices by firearms owners and requires DPH to collect, analyze and report on data regarding firearm related suicides.

SECTION 7. [*Violence, Mental Illness and Substance Abuse*] Requires the board of registration in medicine to develop a professional development training module on suicide prevention for voluntary participation by a physician.

SECTION 8-9. [*Violence, Mental Illness and Substance Abuse*] Amends section 12 of chapter 123 to clarify that admissions pursuant to section 12 are for evaluation purposes, notwithstanding the fact that the individual may receive care and treatment.

SECTION 10. [*Violence, Mental Illness and Substance Abuse*] Requires the court, upon an order to commit a substance abuser, to submit a report to DCJIS in order to bring the commonwealth into compliance with the NICS Improvement Amendments Act of 2007 and authorizes a person so committed to petition the court to restore his or her ability to possess a firearm.

SECTION 11. [*Violence, Mental Illness and Substance Abuse*] Permits the trial court to transmit information contained in court records for commitments made pursuant to chapter 123 to DCJIS for compliance with the NICS Improvement Amendments Act of 2007.

SECTION 12. [*Violence, Mental Illness and Substance Abuse*] Requires the court, upon an order of commitment made pursuant to certain sections of chapter 123, to submit a report to DCJIS in order to bring the commonwealth into compliance with the NICS Improvement Amendments Act of 2007 and authorizes a person so committed to petition the court to restore his or her ability to possess a firearm.

SECTION 13. [*Violence, Mental Illness and Substance Abuse*] Requires the program of instruction on harm reduction (see section 3B) to be included in hunter education courses.

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SECTION 14. [*Reducing Gun Trafficking*] Expands application of the definitions in section 121 of chapter 140 to newly inserted section 131Q of chapter 140.

SECTION 15. [*Violence, Mental Illness and Substance Abuse*] Requires firearms dealers to post a notice and distribute information relative to suicide prevention.

SECTION 16. [*Reducing Gun Trafficking*] Requires firearms dealers who fail to renew their license or whose license is forfeited to transmit all records of firearms sales to EOPSS and ATF.

SECTION 17. [*Reducing Gun Trafficking*] Establishes criminal penalty where a licensed firearms dealer fails to report a lost or stolen weapon. Fine between \$1,000 and \$10,000 or imprisonment between 1 and 10 years.

SECTION 18. [*Reducing Gun Trafficking*] Requires all secondary market gun sales to take place at a location operated by a licensed firearms dealer and requires the dealer to submit pertinent information to DCJIS.

SECTION 19. (i) [*Firearm ID Cards Included in Definition of Suitability*] Inserts suitability and good reason standard into firearm ID statute such that the licensing authority may issue a card if a person is “suitable” and “has good reason to fear injury to his person or property, or for any other reason, including the carrying of firearms for use in sport or target practice only.” (ii) [*Consistency with Federal Laws*] Restricts a federally prohibited person from acquiring a firearm ID card; (iii) [*Prevent Unsuitable Persons from Acquiring Firearms*] Requires EOPSS to establish uniform standards for purposes of determining a suitable person to receive card.

SECTION 20. [*Ninety Day Renewal Process*] Requires the licensing authority to provide an applicant for a firearm identification card with a receipt indicating it received the application.

SECTION 21. [*Violence, Mental Illness and Substance Abuse*] Requires firearm identification cards to include the phone numbers for the National Suicide Prevention Lifeline and the Samaritans Statewide Helpline.

SECTION 22. (i) [*Ninety Day Renewal Process*] Eliminates the 90 day renewal process for ID cards; (ii) [*Reducing Gun Trafficking*] Requires applicants for ID cards to verify that the applicant has not lost any firearms or had any firearms stolen from the applicant’s possession since the applicant’s last renewal or issuance.

SECTION 23. [*Technical Correction*].

SECTION 24. [*Ninety Day Renewal Process*] Eliminates reference to 90 day renewal period for firearms ID cards and lowers the fine levied for expiration of cards.

SECTION 25. [*Reducing Gun Trafficking*] Increases the fine for failure to report a lost or stolen firearm.

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SECTION 26. (i) [Consistency with Federal Laws] Restricts a federally prohibited person from acquiring a license to carry; (ii) [*Prevent Unsuitable Persons from Acquiring Firearms*] Requires EOPSS to establish uniform standards for purposes of determining a suitable person to receive license.

SECTION 27. [*Ninety Day Renewal Process*] Requires the licensing authority to provide an applicant for a license with a receipt indicating it received the application.

SECTION 28. [*Violence, Mental Illness and Substance Abuse*] Requires licenses to carry to include the phone numbers for the National Suicide Prevention Lifeline and the Samaritans Statewide Helpline.

SECTION 29. [*Ninety Day Renewal Process*] Eliminates the 90 day renewal process for licenses to carry.

SECTION 30. [*Reducing Gun Trafficking*] Requires applicants for the renewal of a license to carry to list guns they still own or have lost, sold or acquired since the date of the last renewal or issuance.

SECTION 31. [*Ninety Day Renewal Process*] Requires applicants for licenses to verify that the applicant has not lost any firearms or had any firearms stolen from the applicant's possession since the applicant's last renewal or issuance.

SECTION 32. [*Consistency Among State Laws*] Requires EOPSS to consult with AG's office in publishing its weapons roster and prohibits EOPSS from including on the roster, the make and model of any weapon, the sale of which would constitute an unfair or deceptive trade act or practice pursuant to section 131K of chapter 140 or section 2 of chapter 93A.

SECTION 33. [*Mandatory Storage of Firearms*] Increases penalties for improper storage of a firearm, rifle or shotgun.

SECTION 34. [*Improved and Consistent Firearm Safety and Training*] Conditions certification of firearms safety instructor on colonel's determination that the instructor is: (i) suitable and (ii) qualified to provide the instruction set forth in standardized curriculum. Requires EOPSS, with advice from the Massachusetts Chiefs of Police Association and the gun control advisory board, to develop the standardized curriculum and definition of suitable person.

SECTION 35. [*Reducing Gun Trafficking*] Requires local licensing authority to trace any firearm used to commit a crime within its jurisdiction and to report relevant data to the colonel of state police, who is required to produce an annual report.

SECTION 36. [*Violence, Mental Illness and Substance Abuse*] Requires the court to submit a report to DCJIS upon an order for a defendant to surrender his or her firearm pursuant to chapter 209A and upon the expiration, revocation or invalidation of such order.

SECTION 37. Increases punishment for being armed with a firearm while carjacking.

SECTION 38-39. Increases punishment for being armed with a firearm while entering without breaking in the night or breaking and entering during the day time.

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SECTION 40. Creates sanctions for carrying a firearm while intoxicated of up to 2 years in a house of correction or fine of up to \$2000 and a mandatory 10-year loss of firearm ID card or license.

SECTION 41. [*School Safety*] Increases the penalty for someone convicted of carrying a firearm on school premises and makes such an offense a “statutory right of arrest.”

SECTION 42. [*Violence, Mental Illness and Substance Abuse*] Requires the court, in order to bring the commonwealth into compliance with the NICS Improvement Amendments Act of 2007, to submit a report to DCJCS upon the conviction of a person for a misdemeanor crime of domestic violence.

SECTION 43. Requires administrative office of the trial court to transmit orders of the probate court appointing a guardian or conservator for an incapacitated person on the ground that the person lacks mental capacity to DCJIS in order to bring the commonwealth into compliance with the NICS Improvement Amendments Act of 2007.

SECTION 44. Requires department of mental health to transmit info to DCJIS to identify persons who have been committed pursuant to certain sections of chapter 123 of the General Laws within 20 years of the effective date in order to bring the commonwealth into compliance with the NICS Improvement Amendments Act of 2007.

SECTION 45. [*Reducing gun trafficking*] Requires gun dealers to acquire all available criminal offender record for current employees within 6 months of the effective date of this act.

SECTION 46. [*Reducing Gun Trafficking*] Requires a defunct firearms dealer who sold a firearm under a dealer license after January 1, 1994 to forward all records to EOPSS and ATF or risk a fine, unless EOPSS determines, upon written explanation, that a person cannot reasonably comply.

SECTION 47. [*School safety*] Establishes a special commission to study and make recommendations relative to school emergency response plans under section 8A of chapter 69 of the General Laws and multi-hazard evacuation plans under section 363 of chapter 159 of the acts of 2000.

SECTION 48. [*Mental Health Services and School Supports*] Establishes a special commission to study and report on mental, emotional and behavioral health in public schools.

SECTION 49. Establishes a special commission to study and report on suitable and feasible options for the safekeeping of a distressed person’s firearms in a location away from the household.

SECTION 50. Eliminates local licensing authority’s ability to issue Class B licenses.