AN ACT RELATIVE TO THE REDUCTION OF GUN VIOLENCE

*SECTION BY SECTION SUMMARY*

**SECTION 1.** Requires the Department of Criminal Justice Information Services, or DCJIS, to transmit to the attorney general of the United States all information in its control that is required or permitted under federal law to be included in the National Instant Background Check System.

**SECTION 2.** Authorizes licensed gun dealers to acquire criminal offender record information.

**SECTION 3**. Requires licensed gun dealers to obtain criminal offender record information prior to hiring new employees.

**SECTION 4.** Establishes a criminal firearms and trafficking unit within the State Police to assist the offices of the attorney general and district attorneys in investigating firearm crimes.

**SECTION 5.** Requires the Department of Elementary and Secondary Education to develop a safe and supportive schools framework to be implemented in each school district. An action plan for the framework would then be implemented in each school in order to foster an environment of physical and psychological health and well-being. Also establishes a Safe and Supportive Schools Commission to advise the Department on the implementation of the framework.

**SECTION 6.** Requires school districts, subject to appropriation, to: (a) employ a school resource officer to provide law enforcement and security services to the school district; (b) develop plans to address the mental health needs of its students and faculty; and (c) have access to 2-way communication devices for communication with police and fire departments during emergencies.

**SECTION 7.** Requires school districts to provide 2 hours of suicide awareness and prevention training to school personnel every 3 years.

**SECTION 8.** Requires the Department of Public Health to collect, analyze and report on data related to suicides in the commonwealth.

**SECTION 9.** Requires the Board of Registration in Medicine to develop a professional development training module on suicide prevention for voluntary participation by a physician.

**SECTION 10.** Requires the court, upon an order to commit a substance abuser or alcoholic, to submit a report to DCJIS and authorizes a person so committed to petition the court after 5 years from the date of commitment to restore his ability to possess a firearm.

**SECTION 11.** Permits the trial court to transmit information contained in court records for commitments made pursuant to MGL 123 to DCJIS.

**SECTION 12.** Requires the court, upon an order to commit pursuant to MGL 123, to submit a report to DCJIS and authorizes a person so committed to petition the court after 5 years from the date of commitment to restore his ability to possess a firearm.

**SECTION 13.** Requires a program of instruction on harm reduction to be included in hunter education courses.

**SECTION 14.** Technical change that expands the application of the definitions in MGL 140:1221 to newly inserted MGL 140:131Q.

**SECTION 15-16.** Technical changes relative to eliminating the classes of a license to carry, formerly known as Class A and Class B.

**SECTION 17.** Requires firearms dealers to post a notice and distribute information relative to suicide prevention.

**SECTION 18.** Establishes penalties where a licensed firearm deal fails to report a lost or stolen weapon of a fine between $1K and $10K or imprisonment between 1 and 10 years.

**SECTION 19.** Strikes the requirement that a resident report within 7 days to DCJIS information relative to the sale of a firearm.

**SECTION 20.** Requires all secondary market gun sales to be conducted over a real time web portal to be developed under DCJIS.

**SECTION 21.** Restricts a prohibited person from acquiring a firearm identification card. Also provides that a licensing authority may deny the application or renewal of a firearm identification card if said authority determines that an applicant or card holder is unsuitable based on reliable and credible information, or other existing factors, that the applicant or card holder has exhibited or engaged in behavior that suggests he could potentially create a risk to public safety.

**SECTION 22.**  Requires the licensing authority to provide an applicant for a firearm identification card with a receipt indicating it received the application.

**SECTION 23.** Technical change relative to eliminating the classes of a license to carry, formerly known as Class A and Class B.

**SECTION 24.** Requires firearm identification cards to include the phone numbers for the National Suicide Prevention Lifeline and the Samaritans Statewide Helpline.

**SECTION 25.** Eliminates the 90 day renewal process for firearm identification cards and requires applicants for firearm identification 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 26.** Establishes penalties for selling or furnishing a firearm to an alien 18 years or older who does not hold a permit card; allows for the furnishing of a weapon to a minor for purposes of hunting, instruction and participation in shooting sports while under the supervision of a holder of a valid firearm indication card or license to carry.

**SECTION 27.** Technical correction to MGL 140:129B.

**SECTION 28.** Eliminates reference to 90 day renewal period for firearms identification cards and lowers the fine levied for expiration of cards.

**SECTION 29.** Increases the penalties for failure to report a lost or stolen firearm.

**SECTION 30-31.** Technical change relative to eliminating the classes of a license to carry, formerly known as class A and class B.

**SECTION 32.** Eliminates the classes of a license to carry, formerly known as class A and class B.

**SECTION 33-34.** Restricts a prohibited person from acquiring a license to carry. Also provides that a licensing authority may deny the application or renewal of a license to carry firearm identification card if said authority determines that an applicant or card holder is unsuitable based on reliable and credible information, or other existing factors, that the applicant or card holder has exhibited or engaged in behavior that suggests he could potentially create a risk to public safety.

**SECTION 35.**  Requires the licensing authority to provide an applicant for a license with a receipt indicating it received the application.

**SECTION 36.** Allows an applicant or holder of a license aggrieved by any restriction placed on the license to file a petition for judicial review.

**SECTION 37-38.** Requires a license to carry to be a size and shape equivalent to that of a license to operate a motor vehicle and requires the license to include the phone numbers for the National Suicide Prevention Lifeline and the Samaritans Statewide Helpline.

**SECTION 39-40.** Eliminates the 90 day renewal process for licenses to carry.

**SECTION 41.** Requires applicants for a license to carry 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 42.** Eliminates reference to 90 day renewal period for a license to carry and lowers the fine levied for expiration of a license.

**SECTION 43-44.** Requires the Executive Office of Public Safety and Security to consult with the Attorney General when publishing its weapons roster.

**SECTION 45.** Technical change relative to eliminating the classes of a license to carry, formerly known as Class A and Class B.

**SECTION 46.** Technical change relative to eliminating the classes of a license to carry, formerly known as Class A and Class B.

**SECTION 47.** Technical change relative to eliminating the classes of a license to carry, formerly known as Class A and Class B.

**SECTION 48-49.** Prohibits a nonresident or alien from obtaining a temporary license to carry under specific circumstances.

**SECTION 50.** Technical change relative to eliminating the classes of a license to carry, formerly known as Class A and Class B.

**SECTION 51.** Increases the penalties for improper storage of a firearm, rifle or shotgun.

**SECTION 52.**  Technical change relative to eliminating the classes of a license to carry, formerly known as Class A and Class B.

**SECTION 53.** Requires the Colonel of the State Police to produce and distribute public services announcements on the safe storage and transportation of weapons and the importance of firearm safety education and training.

**SECTION 54.** 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 the State Police, who is required to produce an annual report.

**SECTION 55.** Technical change relative to eliminating the classes of a license to carry, formerly known as Class A and Class B.

**SECTION 56.** Requires the court to submit a report to DCJIS upon an order for a defendant to surrender a firearm pursuant to MGL 209A and upon the expiration, revocation or invalidation of such order.

**SECTION 57.** Requires the trial court to transit 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.

**SECTION 58.** Requires the court to determine, upon conviction for a misdemeanor offense that has an element the use or attempted use of physical force, whether the victim was a family or household member, and if so, shall forward the information to DCJIS.

**SECTION 59.** Increases the punishment for being armed with a firearm while carjacking.

**SECTION 60 -61.** Increases punishment for being armed with a firearm while entering without breaking in the night or breaking and entering during the day time.

**SECTION 62.** Increases the penalty for someone convicted of carrying a firearm on school premises and makes such an offense a “statutory right of arrest.”

**SECTION 63.** Technical change relative to eliminating the classes of a license to carry, formerly known as class A and class B.

**SECTION 64.** Establishes penalties for unlawfully transporting firearms into the Commonwealth to use such firearm for the commission of criminal activity or to unlawfully distribute.

**SECTION 65.** Requires the Department of Mental Health to transit information to DCJIS to identify persons who have been committed pursuant to MGL 123 within 20 years of the effective date of this act.

**SECTION 66.** Requires gun dealers to acquire all available criminal offender record information for current employees within 180 days of the effective date.

**SECTION 67.** Establishes a special commission to study and make recommendations relative to school emergency response plans pursuant to MGL 69:8A and multi-hazard evacuation plans pursuant to section 363 of chapter 159 of the acts of 2000.

**SECTION 68.** Establishes a special commission to study and report on mental, emotional and behavioral health in public schools.

**SECTION 69.** Establishes a task force 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 70.** Eliminates local licensing authority’s ability to issue a Class B license.

**SECTION 71.** Provides that an application or renewal for a firearm identification card that is not approved or denied on or before January 1, 2015 shall be invalid.

**SECTION 72.** Requires DPH to develop a program of instruction on harm reduction to be included in the curriculum of hunter education courses and of every basic firearms safety course.

**SECTIONS 73-74.** Safe and Supportive Schools effective dates.

**SECTION 75.** Safe and Supportive Schools reporting requirements.

**SECTION 76.** Requires DESE to adopt regulations by December 3, 2014, requiring schools to provide suicide awareness and prevention training.

**SECTIONS 77-79.** Effective dates.