



Changes to the Laws Concerning Firearms Licensing and Gun Sales in Massachusetts



On August 13, 2014, the Governor signed House Bill 4376, “An Act Relative to the Reduction of Gun Violence.” The full text of H4376 is available at:

<https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter284>.

The bill:

- Requires Massachusetts to submit more data to the federal National Instant Check System (NICS), including state commitments for alcohol and/or substance abuse, commitments for mental illness or as dangerous persons, and convictions for domestic violence cases;
- Allows an individual who has been committed for certain mental health reasons, for an alcohol use disorder, substance use disorder, or guardianship appointment to petition the court 5 years from the date of commitment requesting that his/her ability to possess a firearms, rifle, or shotgun be restored;
- Requires all Massachusetts licensed gun dealers to run criminal offender record information (CORI) checks on current and new employees;
- Requires all Massachusetts licensed gun dealers to post information about suicide awareness and prevention;
- Eliminates the requirement to obtain a firearms identification card or license to carry to purchase or possess self-defense spray, unless under the age of 18 or otherwise disqualified by law;
- Requires personal sales/transfers of all firearms, rifles, and shotguns to be completed through a web portal to be developed by the Department of Criminal Justice Information Services; the portal will, among other things, verify the identity of both buyer and seller, and ensure the sale/transfer complies with the law;
- Expands the eligibility disqualifications for firearms identification cards and licenses to carry;
- Allows licensing authorities to petition the district court to deny, suspend, or revoke firearms identification cards on the grounds of unsuitability;
- Requires that a licensing authority provide each applicant with a receipt indicating that either a new or renewal firearms license application has been received;

- Provides an indefinite grace period if an applicant submits a renewal application prior to the expiration of his/her current license;
- Eliminates the Class B license to carry firearms, though current Class B licenses to carry will remain valid until the said expiration of the license;
- Exempts active duty military personnel from the requirement to take a Basic Firearms Safety Course before obtaining an FID or LTC;
- Reduces the firearms application fee to \$25 for retired law enforcement officers;
- Exempts law enforcement officers from the assault weapon and large capacity feeding device ban;
- Changes the definition and some punishments relative to firearms trafficking crimes;
- Creates several new crimes involving the use of firearms, including assault and battery with a firearm and disarming a law enforcement officer;
- Requires all licensing authorities to trace and collect specific data on any firearm used in a crime within its jurisdiction.

Some changes to the statute go into effect immediately, while others will go into effect in accordance with the schedule indicated in H4376. Please call your local licensing authority or the Firearms Records Bureau (617.660.4782) should you have any questions.