

HOUSE No. 4899

The Commonwealth of Massachusetts

PRESENTED BY:

David Paul Linsky

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 adoption of the accompanying bill:

An Act relative to 3D printed weapons and "ghost guns".

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>William M. Straus</i>	<i>10th Bristol</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>
<i>Bud Williams</i>	<i>11th Hampden</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Nick Collins</i>	<i>First Suffolk</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>

<i>Brendan P. Crighton</i>	<i>Third Essex</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Dylan Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Solomon Goldstein-Rose</i>	<i>3rd Hampshire</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Jack Lewis</i>	<i>7th Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Adrian Madaro</i>	<i>1st Suffolk</i>
<i>Juana B. Matias</i>	<i>16th Essex</i>
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Thomas P. Walsh</i>	<i>12th Essex</i>

HOUSE No. 4899

By Mr. Linsky of Natick, a petition (subject to Joint Rule 12) of David Paul Linsky and others relative to 3D printed weapons and ghost guns, so-called. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to 3D printed weapons and "ghost guns".

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 121 of Chapter 140 of General Laws, is hereby amended by inserting
2 after the word “cartridges” in line 7 the following ‘ “assembly”, the fitting together of the
3 component parts of firearms to construct a firearm,’

4 Section 2. Section 121 of Chapter 140 of the General Laws, is hereby amended by
5 inserting after the word “gun” in line 100 ‘ “manufacture”, to newly fabricate or construct a
6 firearm’.

7 Section 3. Section 121 of Chapter 140 of the General Laws, is hereby amended by
8 inserting after the word “trigger” in line 107 ““receiver or unfinished firearm frame”, a piece of
9 any material that does not constitute the frame or receiver of a firearm, rifle or shotgun but that
10 has been shaped or formed in any way for the purpose of becoming the frame or receiver of a
11 firearm, rifle or shotgun. The term shall not include a piece of material that has had its size or

12 external shape altered to facilitate transportation or storage or has had its chemical composition
13 altered.

14 Section 4. Section 121 of Chapter 140 of the General Laws is hereby amended by
15 inserting after the word “detectors” in line 54, the following: a firearm shall include any receiver
16 or firearm frame that is either sustainably near completion or is disguised and intended to be used
17 to enable a person to assemble a functioning firearm, shotgun, or rifle

18 Section 5. Chapter 140 is hereby amended by inserting the following new Section after
19 Section 122D.

20 Section 122E.

21 (a) No individual shall complete the manufacture or assembly of a weapon without
22 (1) obtaining a unique serial number or other mark of identification from the commissioner of
23 the department of criminal justice information services pursuant to Section 123 of Chapter 140
24 and (2) engraving upon or permanently affixing to the firearm such serial number or other mark
25 in a manner that conforms with the requirements imposed on licensed importers and licensed
26 manufacturers of firearms pursuant to 18 USC 923(i), as amended from time to time, and any
27 regulation adopted thereunder within.

28 (b) No person shall use a three-dimensional printer to manufacture any firearm, or
29 any part or component that is intended to be used to assemble or manufacture a functioning
30 firearm, unless such person possesses a federal license to manufacture firearms and operates in
31 compliance pursuant to 18 USC 923(i), as amended from time to time, and any regulation
32 adopted thereunder within.

33 (c) No individual shall complete the manufacture or assembly of any firearm from
34 polymer plastic, unless such plastic is embedded with three point seven ounces of material type
35 17-4 PH stainless steel and such firearm is engraved or otherwise marked with a unique serial
36 number or other mark of identification.

37 (d) Not later than thirty days after an individual completes manufacturing or
38 assembling a firearm pursuant to this section, such individual shall notify the commissioner of
39 the department of criminal justice information services and provide any identifying information
40 concerning the firearm and the owner of such firearm pursuant to Section 128B of Chapter 140.

41 (e) The provisions of this section shall not apply to (1) manufacture or assembly of
42 firearms by a federally licensed firearm manufacturer, or (2) delivery or transfer of a firearm to a
43 law enforcement agency

44 (f) No individual shall knowingly, facilitate, aid or abet the manufacture or assembly
45 of a firearm pursuant by an individual or for an individual who is otherwise prohibited by law
46 from owning or possessing a firearm.

47 (g) Any person who violates any provision of this Section shall be punished by
48 imprisonment in the state prison by a term of not more than ten years for each offense, or by a
49 fine of not more than ten thousand dollars, or by both such imprisonment and fine.