

SENATE No. 1568

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

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 firearms in certain public buildings.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|--------------------------|--------------------------------|-----------------|
| <i>Julian Cyr</i> | <i>Cape and Islands</i> | |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>3/8/2021</i> |

SENATE No. 1568

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 1568) of Julian Cyr and James B. Eldridge for legislation relative to firearms in certain public buildings. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to firearms in certain public buildings.

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 10 of Chapter 269 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting the following paragraphs:-

3 (p) For the purposes of this paragraph, “firearm” shall mean any pistol, revolver, rifle or
4 smoothbore arm from which a shot, bullet or pellet can be discharged.

5 Whoever, not being an on-duty law enforcement officer and notwithstanding any license
6 obtained by the person pursuant to chapter 140, carries on the person a firearm, loaded or
7 unloaded in any building or on the grounds of the state house shall be punished by a fine of not
8 more than \$1,000 or by imprisonment for not more than 2 years or both. A law enforcement
9 officer may arrest without a warrant and detain a person found carrying a firearm in violation of
10 this paragraph.

11 (q) For the purposes of this paragraph, “firearm” shall mean any pistol, revolver, rifle or
12 smoothbore arm from which a shot, bullet or pellet can be discharged.

13 Whoever, not being an on-duty law enforcement officer and notwithstanding any license
14 obtained by the person pursuant to chapter 140, carries on the person a firearm, loaded or
15 unloaded on the grounds of or in any portion of a building that is designated a polling place or a
16 place to be used for the counting ballots shall be punished by a fine of not more than \$1,000 or
17 by imprisonment for not more than 2 years or both. A law enforcement officer may arrest
18 without a warrant and detain a person found carrying a firearm in violation of this paragraph.

19 SECTION 2. Said chapter 269, as so appearing, is further amended by adding thereto a
20 new section entitled “12G. Firearms—Carrying Firearms at Demonstrations”

21 (1) For the purposes of this section, the following words have the meanings indicated.

22 "Demonstration" means one or more persons demonstrating, picketing, speechmaking,
23 marching, holding a vigil, or engaging in any other similar conduct that involves the
24 communication or expression of views or grievances and that has the effect, intent, or propensity
25 to attract a crowd or onlookers. "Demonstration" does not include the casual use of property by
26 visitors or tourists that does not have the intent or propensity to attract a crowd or onlookers.

27 "Firearm" any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet
28 can be discharged.

29 "Public building", a building, including its grounds or curtilage, owned by the
30 commonwealth or any political subdivision thereof, or a portion of a building, including its
31 grounds and curtilage or other public grounds where employees of a state agency or department
32 of the commonwealth are regularly present for the purpose of performing their official duties.

33 (2) Whoever, not being an on-duty law enforcement officer and notwithstanding any
34 license obtained by the person pursuant to chapter 140, knowingly carries on the person a
35 firearm, loaded or unloaded at a demonstration in a public building shall be punished by a fine of
36 not more than \$1,000 or by imprisonment for not more than 2 years or both. A law enforcement
37 officer may arrest without a warrant and detain a person found carrying a firearm in violation of
38 this paragraph.