

**HOUSE . . . . . No. 2305**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

*Marjorie C. Decker*

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*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.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/10/2023</i>

**HOUSE . . . . . No. 2305**

By Representative Decker of Cambridge, a petition (accompanied by bill, House, No. 2305) of Marjorie C. Decker relative to firearms in certain public buildings. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2505 OF 2021-2022.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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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 10 of chapter 269 of the General Laws, as appearing in the 2020 Official Edition,  
2 is hereby amended by adding 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 Said chapter, as so appearing, is hereby further amended by inserting after section 12F  
20 the following section:-

21 Section 12G. Firearms—Carrying Firearms at Demonstrations

22 (1) For the purposes of this section, the following words shall have the following  
23 meanings.--

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

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

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

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