

HOUSE No. 00658

The Commonwealth of Massachusetts

PRESENTED BY:

Tom Sannicandro

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 passage of the accompanying bill:

An Act relative to pepper spray.

PETITION OF:

NAME:

Tom Sannicandro

DISTRICT/ADDRESS:

7th Middlesex

HOUSE No. 00658

By Mr. Tom Sannicandro of Ashland, petition (accompanied by bill, House, No. 00658) of Tom Sannicandro relative to licenses for the possession of pepper spray. Joint Committee on Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 2274 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to pepper spray.

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. Chapter 140, SECTION 129b of the General Laws, as appearing in the 2005
2 official edition, is hereby amended in clause (9B) by striking the words “The application fee for
3 a firearm identification card issued for the sole purpose of purchasing or possessing chemical
4 mace, pepper spray or other similarly propelled liquid, gas or powder designed to temporarily
5 incapacitate shall be \$25, which shall be payable to the licensing authority and shall not be
6 prorated or refunded in the case of revocation or denial. The licensing authority shall retain 50
7 per cent of the fee and the remaining portion shall be deposited in the General Fund.
8 Notwithstanding any general or special law to the contrary, licensing authorities shall deposit
9 quarterly that portion of the firearm identification card application fee which is to be deposited

10 into the General Fund, not later than January 1, April 1, July 1 and October 1 of each year. There
11 shall be no application fee for the renewal of a firearm identification card issued under this
12 clause. A firearm identification card issued under this clause shall display, in clear and
13 conspicuous language, that the card shall be valid only for the purpose of purchasing or
14 possessing chemical mace, pepper spray or other similarly propelled liquid, gas or powder
15 designed to temporarily incapacitate.” And replacing thereof the following “Possession of
16 chemical mace, pepper spray or other similarly propelled liquid, gas or powder designed to
17 temporarily incapacitate shall not require a firearm identification card.”

18 And by striking the following words in clause (6): “A firearm identification card shall be valid
19 for the purpose of purchasing and possessing chemical mace, pepper spray or other similarly
20 propelled liquid, gas or powder designed to temporarily incapacitate.”

21 And by striking the following words in clause (7) “If a firearm identification card is issued for
22 the sole purpose of purchasing or possessing chemical mace, pepper spray or other similarly
23 propelled liquid, gas or powder designed to temporarily incapacitate, such card shall clearly state
24 that such card is valid for such limited purpose only. The application for such card shall be made
25 in a standard form provided by the executive director of the criminal history systems board
26 which shall require the applicant to affirmatively state, under the pains and penalties of perjury,
27 that he is not disqualified on any of the grounds enumerated in clauses (i) to (ix), inclusive, from
28 being issued such card.”