

Pursuant to Joint Rule 11E

July 31, 2014

The following language was inadvertently omitted or included in the final conference committee report for an act relative to the reduction of gun violence (House No. 4376). The conferees respectfully request that the following amendments be made to the conference committee report:

In lines 3 to 4, inclusive, by striking out the words “or court order, including an order of impoundment”;

In line 1405 by striking out section 93 and inserting in place thereof the following section:-

“SECTION 93. Said chapter 269 is hereby amended by striking out section 10E, as so appearing, and inserting in place thereof the following section:-

Section 10E. Whoever, except as provided by law, in a single transaction or occurrence or in a series of transactions within a 12 month period, knowingly or intentionally distributes, sells, or transfers possession of a quantity of firearms, rifles, shotguns, machine guns, or any combination thereof, shall, if the quantity of firearms, rifles, shotguns, machine guns, or any combination thereof is:

(1) 1 or more, but less than 3, be punished by a term of imprisonment of not more than 10 years in the state prison or by a fine of not more than \$50,000, or by both such imprisonment and fine;

(2) 3 or more, but less than 10, be punished by a term of imprisonment, not to exceed 20 years in the state prison; provided, however, that said sentence shall not be less than a mandatory minimum term of imprisonment of 5 years; and provided further, that said sentence may include a fine of not more than \$100,000, which shall not be in lieu of the mandatory minimum term of imprisonment;

(3) 10 or more, be punished by a term of imprisonment up to life imprisonment in the state prison; provided, that said sentence shall not be less than a mandatory minimum term of imprisonment of 10 years; and provided further, that said sentence may include a fine of not more than \$150,000, which shall not be in lieu of the mandatory minimum term of imprisonment.

A prosecution commenced under this section shall not be placed on file or continued without a finding and the sentence imposed upon a person convicted of violating this section shall not be reduced to less than the mandatory minimum term of imprisonment, as established in the first paragraph, nor shall any sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory minimum term of imprisonment.

A person convicted of violating this section shall not, until the individual has served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole,

furlough, work release or receive any deduction from his sentence for good conduct under sections 129C or 129D of chapter 127; provided, however, that the commissioner of corrections may, on the recommendation of the warden, superintendent or other person in charge of the correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes: to attend the funeral of a relative, to visit a critically ill relative or to obtain emergency medical or psychiatric services unavailable at said institution. Section 87 of chapter 276 shall not apply to any person, 18 years of age or over, charged with a violation of this section, or to any child between the age of 14 and 18, so charged, if the court is of the opinion that the interests of the public require that the child be tried for such offense instead of being dealt with as a child.”;

In lines 1625 to lines 1637, inclusive, by striking out sections 117 to 122, inclusive and inserting in place thereof the following 5 sections:-

“SECTION 108. Sections 1, 3, 5, 6, 7, 8, 9, 10, 11, 13, 15, 16, 17, 18, 19, 25, 26, 27, 30, 31, 34, 36, 38, 39, 40, 42, 43, 44, 45, 48, 50, 51, 53, 56, 57, 61, 62, 64, 69, 70, 72, 73, 75, 76, 80, 84, 87, 88, 90, 96, 97 and 98 shall take effect on January 1, 2015.

SECTION 109. Sections 28 and 29 shall take effect on March 1, 2015; provided, however, that the chief information officer of the commonwealth, in conjunction with the secretary of public safety and security, shall procure any necessary information technology services to implement the real time web portal pursuant to said section 29 by October 1, 2014.

SECTION 110. The first report under clause (10) of section 18 ¾ of chapter 6A of the General Laws shall be due not later than March 1, 2016.

SECTION 1112. Sections 23, 24, 32, 33, 35A, 35B, 41, 46, 47, 49, 52, 54, 58, 59, 60, 63, 68, 71 and 91 shall take effect on January 1, 2021.”

SENATE

HOUSE

James E. Timilty

Ronald Mariano

Anthony Petrucelli

Garrett J. Bradley

Bruce E. Tarr

George N. Peterson, Jr.

Senate Counsel

House Counsel