



Legal Update

January 2018

***Selling, Buying or Possessing Bump Stocks and Trigger Cranks
in Massachusetts is Illegal Without Any Exceptions.***

On November 3, 2017, the Legislature enacted Section 52 of Chapter 110 of the Acts of 2017 and amended the General Laws regulating firearms (M.G.L. c. 140, §§ 121 & 131). Specifically, it is illegal to buy, sell, transfer or possess bump stocks and trigger cranks in Massachusetts. In November, the new law immediately prohibited the purchase, sale, or offering for sale of a trigger crank or bump stock. Effective February 1, 2018, the new law prohibits the possession of bump stocks or trigger cranks, including possession in a private home.

The law defines a “**bump stock**” as follows:

“any device for a weapon that increases the rate of fire achievable with such weapon by using energy from the recoil of such weapon to generate a reciprocating action that facilitates repeated activation of the trigger.”

The law defines “**trigger crank**” as follows:

“any device to be attached to a weapon that repeatedly activates the trigger of the weapon through the use of a lever or other part that is turned in a circular motion; provided, however, that “trigger crank” shall not include any weapon initially designed or manufactured to fire through the use of a crank or lever.”

Penalties: (felony) 18 months to life imprisonment. The appropriate charge would be unlicensed possession of a machine gun. NOTE: There is no requirement that the bump stock or trigger cranks be attached to a weapon in order to charge as an unlicensed possession of a machine gun.

Commentary: The Executive Office of Public Safety and Security is in the process of notifying all licensed individuals and manufacturers about the changes that become effective on February 1, 2018. Please note the key language included in the letter circulating from Executive Office of Public Safety and Security.

- **There are no exceptions to this prohibition for licensed firearm owners: an FID card, a License to Carry, or even a license to possess a machine gun will not authorize possession of a bump stock or a trigger crank.**

For specific guidance on the application of these cases or any law, please consult with your supervisor or your department’s legal advisor or prosecutor.