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Commonwealth of Massachusetts

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Rep. Kane opposes gun reform bill

Legislation will negatively impact law enforcement and licensed gun owners

BOSTON – State Representative Hannah Kane (R-Shrewsbury) recently opposed a major gun reform bill, saying it will do nothing to reduce crime and will instead have a negative impact on lawful gun owners in the Commonwealth by infringing on their Second Amendment rights.

House Bill 4135, *An Act modernizing firearm laws*, was engrossed by the House of Representatives on a vote of 120-38 on October 18. In joining with other Republicans, Democrats and an unenrolled colleague in voting against the bill, Representative Kane cited a number of concerns, including the process used to bring the bill to the House floor, the lack of information on how much it will cost, and the restrictions it will place on law enforcement officers that will severely compromise their ability to perform their job. Representative Kane noted that she has previously supported several bills related to gun safety, including the prohibition of bump stocks and the creation of the Extreme Risk Protection Order, and that she would have also supported gun reform legislation this session that had focused specifically on regulating ghost guns and expanding the state’s Extreme Risk Protection Order statute.

The gun bill has drawn strong opposition from the Massachusetts Chiefs of Police Association (MCOPA), whose members recently voted unanimously to oppose the bill. The Gun Owners Action League (GOAL) also opposes the bill.

According to Representative Kane, House Bill 4135 would establish a gun registration database, impose restrictions on ghost guns, expand the state’s extreme risk protection order (ERPO) law, and increase the number of “prohibited areas” where firearms would not be allowed. Additionally, House Bill 4135 would require the Department of State Police to auction certain firearms surrendered or seized due to a suspension or revocation of a license or permit, rather than dispose of them, while also requiring State Police officers to conduct inspections of licensed gun dealers.

One of the biggest concerns cited by the MCOPA is that the bill’s “prohibited areas” provision – which was included in response to last year’s Supreme Court decision in the case of *New York State Rifle & Pistol Association v. Bruen* – contains no comprehensive carve-outs for off-duty and retired police officers. An amendment adopted during floor debate only partially addressed this issue in a very narrowly defined manner.

Retired Chief Mark K. Leahy, who currently serves as the MCOPA’s Executive Director, also noted that the gun registration requirement included in House Bill 4135 “will do nothing to reduce gun violence or reduce gun deaths,” and instead emphasized the need to focus on “the swift and vigilant prosecution of the criminals engaging in these felonious acts, and a renewed embracing of what ‘mandatory minimum sentences’ means.”

Representative Kane noted that Massachusetts already has some of the strictest firearms laws in the country, along with the lowest rate of deaths associated with gun violence. She said the vast majority of gun-related

crimes are committed with illegal weapons and not with legally owned firearms, adding that the focus of the bill should be on punishing those who break the law rather than targeting law-abiding citizens.

Representative Kane criticized House leadership for doing an end-run around the joint legislative committee process by attaching the gun bill to a supplemental spending bill in the House Ways and Means Committee and reporting it “in part” with only the gun bill language included. She also criticized the lack of a fiscal note detailing the costs of the legislation, which is required under House Rules for any proposal that is expected to cost more than \$100,000 to implement.

House Bill 4135 now moves to the Senate for its consideration.

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