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Gun Owners' Action League

Massachusetts House Moves on Another Anti-2A Bill

H.2305 seeks to leave lawful citizens defenseless while attempting to exercise their First Amendment.

In what can only be considered a puzzling move, the Massachusetts House of Representatives began to give motion to [H.2305 – An Act Relative to Firearms in Certain Public Buildings](#). The bill, filed by [Representative Marjorie Decker \(D\) of Cambridge](#), would essentially leave citizens completely defenseless in the State House, any Polling (Voting) buildings, or any demonstration/protest in a public building.

The sudden movement of the bill is of concern since the bill GOAL has dubbed the: “Lawful Citizens Imprisonment Act” ([H.4139](#)) is still being debated in conference committee. It is especially troubling that the bill was moved up a step in the process via an “informal session”. In such a session, any Representative present could object to the bill, thus temporarily halting the bill’s progress without a vote. This means that no Democrat or Republican present in the chamber at the time took issue with the proceedings. Similar action happened in 2023 when [HD.4420](#) was allowed to proceed in an informal session without objection.

“It was bad enough that the Massachusetts legislature was acting to pass the worst anti-civil rights bill in modern Massachusetts history [[H.4139](#)],” said Jim Wallace Executive director of GOAL. “Then they double down and move a bill that is intended to leave citizens defenseless while trying to exercise their other civil rights. If this bill were to ever pass, it would be ringing the dinner bell for violent groups that want to disrupt our election process or citizens exercising their First Amendment right to address public officials.”

A few details of the bill to also pay attention are regarding to polling places and demonstrations.

The proposed prohibition on carrying a firearm in any building where polling/voting takes place does not specifically limit it to government election functions. It could reasonably be interpreted to simply mean a gun club where the election of board members is happening. It also does not limit the prohibition to the times where the election process is taking place. It would seem that any building where it could happen would designate the prohibition.

The demonstration restriction defines it as: *“one or more persons demonstrating, picketing, speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves the communication or expression of views or grievances”*

This definition is a complete prohibition of exercising your Second Amendment if you are exercising your First Amendment in a “public building”. The language does not just apply to the persons taking part. It clearly states that you have to be in a building where a single person is speaking their mind. Just walking into the building without even knowing a single individual is “demonstrating” could get a lawful citizen arrested without warrant and sentenced to two years in prison.

[H.2305 – An Act Relative to Firearms in Certain Public Buildings.](#)

Section 10 of chapter 269 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding the following paragraphs:

(p) For the purposes of this paragraph, “firearm” shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged.

Whoever, not being an on-duty law enforcement officer and notwithstanding any license obtained by the person pursuant to chapter 140, carries on the person a firearm, loaded or unloaded in any building or on the grounds of the state house shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 2 years or both. A law enforcement officer may arrest without a warrant and detain a person found carrying a firearm in violation of this paragraph.

(q) For the purposes of this paragraph, “firearm” shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged.

Whoever, not being an on-duty law enforcement officer and notwithstanding any license obtained by the person pursuant to chapter 140, carries on the person a firearm, loaded or unloaded on the grounds of or in any portion of a building that is designated a polling place or a place to be used for the counting ballots shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 2 years or both. A law enforcement officer may arrest without a warrant and detain a person found carrying a firearm in violation of this paragraph.

Said chapter, as so appearing, is hereby further amended by inserting after section 12F the following section:-

Section 12G. Firearms—Carrying Firearms at Demonstrations

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

"Demonstration", one or more persons demonstrating, picketing, speechmaking, marching, holding a vigil, or engaging in any other similar conduct that involves the communication or expression of views or grievances and that has the effect, intent, or propensity to attract a crowd or onlookers.

"Demonstration" does not include the casual use of property by visitors or tourists that does not have the intent or propensity to attract a crowd or onlookers.

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

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

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