

**An Act Relative to the Enhancement of Public Safety**

***SB***

Senator Pamela Resor (D – Middlesex and Worcester)  
Representative Peter J. Koutoujian (D – Tenth Middlesex)

General Summary of the Act

An Act Relative to the Enhancement of Public Safety.

Relevant Specifics of the Act

Amends the current state law to require that Superintendents of correctional institutions notify the state fire marshal, prior to the release or discharge, of any individual convicted of possession of an infernal machine (bomb) or a hoax device. Such notification is currently required regarding convicted arsonists, and allows the Marshal's office to know when an individual has been released into the community.

This provision amends the current state law for licensing of explosive users by the State Fire Marshal. The law would prohibit the Marshal from issuing a license to any individual, or otherwise require the revocation of a license issued to any individual who is the subject a 209A restraining order, while that order is in effect.

This revision clarifies the definition of an "infernal machine" to include not only an assembled device but also component parts, which could be assembled to create a dangerous device. The lack of this definition, to include component parts, was the reason for the Defendant's acquittal in *Commonwealth v. Carter*. This change is aimed at closing a potential loophole when such parts are in an individual's possession but not yet assembled.

Current Status

This bill is waiting assignment to a committee.