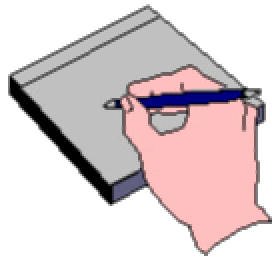


Planning For The Future:

Thoughts on
estate planning for
Massachusetts gun owners



Planning for the Future

No one likes to think about their own mortality or that of their loved ones but we prepare for it in many ways despite the subject. We purchase life insurance, will heirloom items to family members and even set up trust funds for a youth's future. Have you thought about what will happen with your firearm collection after you've passed on?

What if the family you leave behind is not as fond of the shooting sports as you have been? What if you have no direct heirs? If you have no heirs, your property will go into the commonwealth's unclaimed property locker. You, as a gun owner, should make arrangements now while you still can. Many collections that were considered prized possessions at one time have fallen to inactive estates to collect dust where there was no gun enthusiast to pass on traditions. Others passed on unexpectedly leaving their collections in limbo.

Inheritance by Family Members

When a Massachusetts licensed gun owner passes on, many relatives fear they are immediately in illegal possession of firearms. This is not true, as our state's general laws provide a 180-day exemption for possession by the legatee. During this 180 days, the state indicates it expects the heir or legatee to dispose of the guns, or obtain proper licensing to continue to possess the guns. (see Chapter 140, section 129C(n) for the specific language)

If you are the executor of an estate, and have firearms to properly dispose of, up to four guns per calendar year may be transferred directly from the deceased person through his/her executor or administrator (after their court appointment) to a properly licensed Massachusetts resident. The transfer must be made using an FA-10 form (available free at most police stations). There is no limit to the amount of guns that may be transferred through a dealer.

Massachusetts dealers do have limits on the types of handguns that they may transfer at retail sale. Because of this, it is recommended that an executor/executrix of an estate choose carefully which guns would be transferred directly on an FA-10 form, and which would be transferred through a dealer.

Those limitations also affect an inheritance by a Massachusetts resident from a non-resident. Although it might be easier for a resident to ask that the firearm be transferred from a federal dealer in another state to a dealer in Massachusetts, it is possible that the Massachusetts dealer would be prohibited from transferring the gun to the heir.

Federal law, which normally prohibits the direct acquisition by a non-resident, would allow a Massachusetts resident to directly pick up and transport the gun home. This presumes that the Bay State resident would be legally entitled to possess guns in the other state and be properly licensed to possess them here at home. (see 18 USC Chapter 44, 922(a)(3) for the specific language). If you are uncertain about the procedure to follow in these situations, call Nancy Snow at 508-393-5333 and if we can not answer your question, we will refer you to an attorney who can.

Support The Shooting Sports

The GOAL Foundation may be an option for the future of your collection. As a non-profit organization, The GOAL Foundation relies on donations of either cash or items which we can sell or use for one of our many educational programs.

The GOAL Foundation can use your rifles, shotguns and handguns at the Firearms Safety and Education Day events that are offered to diverse groups such as legislators, college students and women's groups. Local sportsmen's clubs could use your rifles and shotguns for their junior shooting programs. Handguns are perfect for our Basic Pistol course where students become familiar with various types of firearms.

Be a part of the future through your firearms. Help pass on the traditions of our forefathers by donating the tools to keep the shooting sports alive and thriving.

You may also wish to consider a special bequest of a certain sum of money to The GOAL Foundation or perhaps in some circumstances (such as if you have no living relatives) a residuary bequest, where the remainder of your estate, after any specific bequests to friends, is left to The GOAL Foundation.

How Can I Give to The GOAL Foundation?

As a courtesy to you, The GOAL Foundation provides the following sample language which could be used in your will. Of course you will want to review the language with your own attorney. Remember, gifts made to The GOAL Foundation, Inc, do qualify for tax deductibility.

A Bequest of Money or Firearms

I give, devise and bequeath to The GOAL Foundation, Inc., a not-for-profit corporation as defined in section 501(c)3 of the Internal Revenue Service code, presently located at 37 Pierce Street, Northborough Massachusetts, 01532, the sum of \$___ (or describe a specific firearm using make, model and serial #) for its general purposes as shall be determined by its Board of Directors.

A Bequest for Specific Purposes

I give, devise and bequeath to The GOAL Foundation, Inc., a not-for-profit corporation as defined in Section 501(c)3 of the Internal Revenue Service Code, presently located at 37 Pierce Street, Northborough Massachusetts, 01532, the sum of \$___ (or state a percentage of the estate) and I direct that this gift shall be used for the following purposes: (describe the purposes here).

A Bequest to Establish a Fund

I give, devise and bequeath to the GOAL Foundation, Inc., a not-for-profit corporation as defined in Section 501(c)3 of the Internal Revenue Service Code, presently located at 37 Pierce Street, Northborough Massachusetts 01532, the sum of \$___, to be known as the ___ Fund, to be used for the general purposes of The GOAL Foundation as shall be determined by its Board of Directors.

A Bequest of Real Estate

I give, devise and bequeath to the GOAL Foundation, Inc., a not-for-profit corporation as defined in Section 501(c)3 of the Internal Revenue Service Code, presently located at 37 Pierce Street, Northborough Massachusetts 01532, for its general purposes as shall be determined by its Board of Directors, that real estate owned by me (give here the address of the property and a title reference indicating the book and page and the name of the registry at which your deed is recorded).

A Residuary Bequest

All the rest, residue and remainder of my property, both real and personal, and wheresover situated, I give, devise and bequeath to the GOAL Foundation, Inc., a not-for-profit corporation as defined in Section 501(c)3 of the Internal Revenue Service Code, presently located at 37 Pierce Street, Northborough Massachusetts 01532, for the accomplishment of its general purposes as these shall be determined by the Board of Directors.

IMPORTANT NOTE: This pamphlet is designed as a general guide
and should not be taken as legal advice.

If you would like to discuss the donation of firearms, equipment or monetary donations through a will to The GOAL Foundation, please contact Nancy Snow at (508) 393-5333.

This pamphlet is a publication of:

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“Promoting the safe and lawful use of firearms.”