

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 600

H.P. 413

House of Representatives, March 3, 2015

An Act To Conform Maine Law Regarding Persons Prohibited from Possessing Firearms with Federal Law

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PICKETT of Dixfield.
Cosponsored by Senator BURNS of Washington and
Representatives: BATTLE of South Portland, HANINGTON of Lincoln, HANLEY of Pittston,
HERRICK of Paris, McCABE of Skowhegan, PETERSON of Rumford, SKOLFIELD of
Weld, STEARNS of Guilford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 15 MRSA §393, sub-§1, ¶D**, as amended by PL 2007, c. 670, §5, is
3 further amended to read:

4 D. Is subject to an order of a court of the United States or a state, territory,
5 commonwealth or tribe that restrains that person from harassing, stalking or
6 threatening an intimate partner, as defined in 18 United States Code, Section 921(a),
7 of that person or a child of the intimate partner of that person, or from engaging in
8 other conduct that would place the intimate partner in reasonable fear of bodily injury
9 to the intimate partner or the child, except that this paragraph applies only to a court
10 order that was issued after a hearing for which that person received actual notice and
11 at which that person had the opportunity to participate and that:

12 (1) Includes a finding that the person represents a credible threat to the physical
13 safety of an intimate partner or a child; or

14 (2) By its terms, explicitly prohibits the use, attempted use or threatened use of
15 physical force against an intimate partner or a child that would reasonably be
16 expected to cause bodily injury; ~~or~~

17 **Sec. 2. 15 MRSA §393, sub-§1, ¶E**, as amended by PL 2009, c. 651, §1, is
18 further amended to read:

19 E. Has been:

20 (1) Committed involuntarily to a hospital pursuant to an order of the District
21 Court under Title 34-B, section 3864 because the person was found to present a
22 likelihood of serious harm, as defined under Title 34-B, section 3801, subsection
23 4-A, paragraphs A to C;

24 (2) Found not criminally responsible by reason of insanity with respect to a
25 criminal charge; or

26 (3) Found not competent to stand trial with respect to a criminal charge;

27 **Sec. 3. 15 MRSA §393, sub-§1, ¶¶F to K** are enacted to read:

28 F. Is a fugitive from justice. For the purposes of this paragraph, "fugitive from
29 justice" has the same meaning as in section 201, subsection 4;

30 G. Is an unlawful user of or is addicted to any controlled substance and as a result is
31 prohibited from possession of a firearm under 18 United States Code, Section
32 922(g)(3);

33 H. Is an alien who is illegally or unlawfully in the United States or who was admitted
34 under a nonimmigrant visa and who is prohibited from possession of a firearm under
35 18 United States Code, Section 922(g)(5);

36 I. Has been discharged from the United States Armed Forces under dishonorable
37 conditions;

38 J. Has, having been a citizen of the United States, renounced that person's
39 citizenship; or

