

MAINE STATE LEGISLATURE

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S.M.C.
R. 01/15

Date: 6/5/15

(Filing No. H-309)

Minority

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 557, L.D. 823, Bill, "An Act To Upgrade the Concealed Handgun Permit Law"

Amend the bill in section 3 in paragraph E in subparagraph (4) in division (a) in the first line (page 1, line 26 in L.D.) by striking out the following: "\$35" and inserting the following: '~~\$35~~ \$52.50'

Amend the bill in section 3 in paragraph E in subparagraph (4) in division (a) in the 2nd line (page 1, line 27 in L.D.) by striking out the following: "\$20" and inserting the following: '~~\$20~~ \$52.50'

Amend the bill in section 3 in paragraph E in subparagraph (4) in division (b) in the first line (page 1, line 32 in L.D.) by striking out the following: "\$60" and inserting the following: '~~\$60~~ \$120'

Amend the bill in section 4 in subsection 8 in the first line (page 2, line 30 in L.D.) by striking out the following: "10" and inserting the following: '5'

Amend the bill in section 4 in subsection 8 in the last line (page 2, line 34 in L.D.) by striking out the following: "10" and inserting the following: '5'

Amend the bill by inserting after section 7 the following:

'Sec. 8. 25 MRSA §2003, sub-§18 is enacted to read:

18. Centralized database. The State Police shall establish and maintain a centralized database containing information about concealed handgun permit holders and applicants for concealed handgun permits.

A. The centralized database must contain:

- (1) The permit holder's or applicant's name;
- (2) The permit holder's or applicant's address;
- (3) The permit holder's or applicant's date of birth;
- (4) Permit information;

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1 (5) Status of the permit or permit application; and

2 (6) Prior action taken on the permit.

3 B. The centralized database may be accessed only by:

4 (1) A law enforcement agency;

5 (2) A law enforcement officer; or

6 (3) Court order.

7 The centralized database may be used only for criminal justice purposes or purposes
8 related to concealed handgun permits.

9 C. Information about a concealed handgun permit holder or applicant maintained in
10 the centralized database must be purged from the centralized database within 5 years
11 after the permit expires or within 5 years after the period for an appeal of a denial or a
12 revocation has run.'

13 Amend the bill by inserting after section 8 the following:

14 '**Sec. 9. Application.** This Act does not apply to a valid concealed handgun permit
15 issued before the effective date of this Act. An application for a concealed handgun
16 permit or the renewal of a valid concealed handgun permit received by an issuing
17 authority on or after the effective date of this Act is subject to the provisions of this Act.

18 **Sec. 10. Appropriations and allocations.** The following appropriations and
19 allocations are made.

20 **PUBLIC SAFETY, DEPARTMENT OF**

21 **Licensing and Enforcement - Public Safety 0712**

22 Initiative: Provides one-time funding to process and issue additional concealed handgun
23 permit applications.

24	GENERAL FUND	2015-16	2016-17
25	All Other	\$0	\$147,373
26			
27	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$147,373</u>

28 **Licensing and Enforcement - Public Safety 0712**

29 Initiative: Provides funding for 4 Office Associate II positions, 2 State Police Detective
30 positions and related All Other to process additional concealed handgun permit
31 applications.

32	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
33	POSITIONS - LEGISLATIVE COUNT	0.000	6.000
34	Personal Services	\$0	\$259,560

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1	All Other	\$0	\$145,140
2			
3	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$404,700</u>
4	PUBLIC SAFETY, DEPARTMENT OF		
5	DEPARTMENT TOTALS	2015-16	2016-17
6			
7	GENERAL FUND	\$0	\$147,373
8	OTHER SPECIAL REVENUE FUNDS	\$0	\$404,700
9			
10	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$552,073</u>

11 **Sec. 11. Effective date.** This Act takes effect January 1, 2017.'

12 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
13 section number to read consecutively.

14 **SUMMARY**

15 This amendment makes the following changes to the bill.

16 1. It increases the application and renewal fees for a concealed handgun permit from
17 \$35 to \$52.50 and from \$20 to \$52.50, respectively, for a resident. For a nonresident the
18 fee is increased from \$60 to \$120 for either an application or a renewal.

19 2. The bill proposes to extend the period a permit is valid from 4 to 10 years. This
20 amendment makes a permit valid for 5 years.

21 3. It requires the State Police to establish a centralized database containing
22 information about concealed handgun permit holders and applicants for concealed
23 handgun permits. It provides that the centralized database must be accessible by law
24 enforcement agencies or law enforcement officers or by court order and that information
25 about a permit holder or an applicant must be purged from the centralized database within
26 5 years after the permit expires or after the period for an appeal of a denial or a revocation
27 of a permit has run.

28 4. It provides that an application for a concealed handgun permit received before
29 January 1, 2017 is not subject to the provisions of this legislation, but an application for a
30 new concealed handgun permit or a renewal of a concealed handgun permit received by
31 an issuing authority on or after January 1, 2017 is subject to this legislation.

32 5. It adds an appropriations and allocations section.

33 6. It adds an effective date of January 1, 2017.

34 **FISCAL NOTE REQUIRED**

35 **(See attached)**

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127th MAINE LEGISLATURE

LD 823

LR 1599(02)

An Act To Upgrade the Concealed Handgun Permit Law

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-309)
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$0	\$88,903	(\$116,940)	(\$116,940)
Appropriations/Allocations				
General Fund	\$0	\$147,373	\$0	\$0
Other Special Revenue Funds	\$0	\$404,700	\$589,530	\$606,559
Revenue				
General Fund	\$0	\$58,470	\$116,940	\$116,940
Other Special Revenue Funds	\$0	\$404,700	\$809,400	\$809,400

Fiscal Detail and Notes

This bill repeals the authority of municipalities to issue concealed weapons permits, increases the application fees, increases the permit term from 4 to 5 years and establishes a centralized database of concealed handgun permit holders and applicants within the Department of Public Safety. Other Special Revenue Funds revenue to the department would increase by \$404,700 and General Fund revenue would increase by \$58,470 in fiscal year 2016-17. The bill includes an Other Special Revenue Funds allocation of \$404,700 for 4 Office Associate II positions, 2 State Police Detective positions and related administrative costs, including a one-time cost of \$260,000 for computer programming costs associated with the centralized database. In fiscal year 2016-17, the dedicated revenue is insufficient to cover the costs, therefore the bill includes a General Fund appropriation to the department of \$147,373 in fiscal year 2016-17.