

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

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Legislative Document

No. 1126

H.P. 745

House of Representatives, March 18, 2025

An Act Requiring Serial Numbers on Firearms and Prohibiting Undetectable Firearms

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

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

ROBERT B. HUNT
Clerk

Presented by Representative ZAGER of Portland.
Cosponsored by President DAUGHTRY of Cumberland and
Representative: Speaker FECTEAU of Biddeford, Senators: CYRWAY of Kennebec,
TALBOT ROSS of Cumberland.

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

2 **Sec. 1. 25 MRSA §2016, sub-§1, ¶C**, as enacted by PL 2023, c. 678, §1 and
3 reallocated by RR 2023, c. 2, Pt. A, §40, is amended to read:

4 C. "Firearm" has the same meaning as in Title 17-A, section 2, subsection 12-A and
5 also includes an unfinished frame or receiver as defined in section 2036, subsection 10.

6 **Sec. 2. 25 MRSA §2016, sub-§4, ¶B**, as enacted by PL 2023, c. 678, §1 and
7 reallocated by RR 2023, c. 2, Pt. A, §40, is amended to read:

8 B. The sale of a firearm to a firearm dealer; or

9 **Sec. 3. 25 MRSA §2016, sub-§4, ¶C**, as enacted by PL 2023, c. 678, §1 and
10 reallocated by RR 2023, c. 2, Pt. A, §40, is amended by amending subparagraph (3) to read:

11 (3) A background check is not required under federal or state law; or

12 **Sec. 4. 25 MRSA §2016, sub-§4, ¶D** is enacted to read:

13 D. The return of a firearm or frame or receiver, as defined in section 2036, subsection
14 8, to a person by a firearm dealer after the dealer has imprinted a serial number on the
15 firearm or frame or receiver pursuant to federal law or section 2039 if the dealer returns
16 the firearm or frame or receiver to the same person from whom the firearm or frame or
17 receiver was received.

18 **Sec. 5. 25 MRSA §2017** is enacted to read:

19 **§2017. Undetectable firearms prohibited**

20 **1. Definition.** As used in this section, "undetectable firearm" means a firearm that can
21 operate while in a form that is not as detectable as a security exemplar, as defined in 18
22 United States Code, Section 922(p)(2)(C).

23 **2. Undetectable firearms prohibited.** A person may not:

24 A. Manufacture or cause to be manufactured within this State, import into this State or
25 offer, expose for sale, sell or transfer an undetectable firearm; or

26 B. Knowingly possess an undetectable firearm;

27 **3. Violations.** The following penalties apply to violations of this section.

28 A. A person who manufactures or causes to be manufactured within this State, who
29 imports into this State or who offers, exposes for sale, sells or transfers an undetectable
30 firearm commits a Class C crime.

31 B. A person who knowingly possesses an undetectable firearm commits a Class D
32 crime.

33 C. A person commits a Class C crime if that person:

34 (1) Knowingly possesses an undetectable firearm in a courthouse, on school
35 property where the possession of a firearm is prohibited pursuant to Title 20-A,
36 section 6552, in a voting place as defined in Title 21-A, section 1, subsection 49 or
37 in a place where municipal, county or state business is conducted; or

38 (2) Possesses an undetectable firearm with the intent to bring that firearm into a
39 courthouse, onto school property where the possession of a firearm is prohibited

1 digital model through an additive manufacturing process that involves the layering of cross
2 sections formed of a resin or similar material that are fused together to form a 3-
3 dimensional object.

4 **10. Unfinished frame or receiver.** "Unfinished frame or receiver" means any forging,
5 casting, printing, extrusion, machined body or similar article that has reached a stage in
6 manufacture when it may readily be completed, assembled or converted to be used as the
7 frame or receiver of a functional firearm or that is marketed or sold to the public to become
8 or be used as the frame or receiver of a functional firearm once completed, assembled or
9 converted.

10 **§2037. Prohibited conduct**

11 **1. Prohibited conduct.** A person may not:

12 A. Knowingly possess an unfinished frame or receiver unless the unfinished frame or
13 receiver has been imprinted with a serial number by a federal firearms licensee pursuant
14 to federal law or section 2039;

15 B. Knowingly import into this State, transfer or offer to transfer an unfinished frame
16 or receiver unless the unfinished frame or receiver has been imprinted with a serial
17 number by a federal firearms licensee pursuant to federal law or section 2039;

18 C. Purchase an unfinished frame or receiver imprinted with a serial number without
19 undergoing a background check pursuant to 18 United States Code, Section 922(t) or
20 Title 15, section 395;

21 D. Knowingly possess a firearm or frame or receiver that is not imprinted with a serial
22 number by a federal firearms licensee pursuant to federal law or section 2039;

23 E. Knowingly import into this State, transfer or offer to transfer a firearm or frame or
24 receiver that is not imprinted with a serial number by a federal firearms licensee
25 pursuant to federal law or section 2039; or

26 F. Purchase a frame or receiver imprinted with a serial number without undergoing a
27 background check pursuant to 18 United States Code, Section 922(t) or Title 15, section
28 395.

29 **2. Exceptions.** The following are exceptions to the provisions of subsection 1.

30 A. Subsection 1, paragraphs A and B do not apply to:

31 (1) A federal firearms licensee acting within the scope of the licensee's license;

32 (2) An unfinished frame or receiver possessed by or transferred to a law
33 enforcement officer for legitimate law enforcement purposes;

34 (3) The transfer of an unfinished frame or receiver for the purpose of having the
35 unfinished frame or receiver imprinted with a serial number pursuant to federal law
36 or section 2039; or

37 (4) A person who:

38 (a) Is in possession of an unfinished frame or receiver that has been without a
39 serial number for no more than 48 hours; and

1 (b) Has an appointment with a federal firearms licensee pursuant to section
2 2039, subsection 1, paragraph C to have the unfinished frame or receiver
3 imprinted with a serial number.

4 B. Subsection 1, paragraphs D and E do not apply to:

5 (1) A federal firearms licensee acting within the scope of the licensee's license;

6 (2) A firearm or frame or receiver without a serial number possessed by or
7 transferred to a law enforcement officer for legitimate law enforcement purposes;

8 (3) The transfer of a firearm or frame or receiver for the purpose of having the
9 firearm or frame or receiver imprinted with a serial number pursuant to federal law
10 or section 2039;

11 (4) A person who:

12 (a) Is in possession of a firearm or frame or receiver that has been without a
13 serial number for no more than 48 hours; and

14 (b) Has an appointment with a federal firearms licensee pursuant to section
15 2039, subsection 1, paragraph C to have the firearm or frame or receiver
16 imprinted with a serial number;

17 (5) An antique firearm as defined in Title 15, section 394, subsection 1, paragraph
18 A;

19 (6) A firearm that has been rendered permanently inoperable; or

20 (7) A firearm that was manufactured before 1968.

21 **§2038. Violations**

22 Beginning October 1, 2026, the following provisions apply to violations of this chapter.

23 **1. Unlawful possession.** A person who violates section 2037, subsection 1, paragraph
24 A or D:

25 A. For a first offense, commits a civil violation and may be assessed a penalty of not
26 more than \$50;

27 B. For a 2nd offense, commits a Class D crime; and

28 C. For a 3rd or subsequent offense, commits a Class C crime.

29 **2. Unlawful importation, transfer, offer to transfer or purchase.** A person who
30 violates section 2037, subsection 1, paragraph B, C, E or F:

31 A. For a first offense, commits a Class D crime; and

32 B. For a 2nd or subsequent offense, commits a Class C crime.

33 **3. Unlawful use.** A person who uses a firearm without a serial number while
34 committing a Class A or Class B crime or while committing reckless conduct under Title
35 17-A, section 211 commits a Class C crime.

36 **§2039. Serial number imprinted; federal firearms licensees**

37 **1. Federal firearms licensees.** A federal firearms licensee:

1 A. May imprint a serial number on a firearm or frame or receiver without a serial
2 number pursuant to this section;

3 B. May schedule an appointment with a person to imprint a serial number on a firearm
4 or frame or receiver without a serial number pursuant to this section;

5 C. Who schedules an appointment with a person to imprint a serial number on a
6 firearm or frame or receiver without a serial number pursuant to this section shall, at
7 the time the appointment is scheduled:

8 (1) Make a record of the appointment, which must be retained by the federal
9 firearms licensee for no less than 30 days; and

10 (2) Provide the person with whom the appointment is scheduled with a physical
11 or digital record confirming that appointment;

12 D. Who imprints a serial number on a firearm or frame or receiver pursuant to this
13 section shall make and retain records of the imprinting that comply with the
14 requirements under federal law for the sale of a firearm. In addition to any record
15 required by federal law, the record must include the date of the imprinting; name, age
16 and residence of any person to whom the firearm or frame or receiver is transferred;
17 and the serial number imprinted on the firearm or frame or receiver; and

18 E. May not be deemed a firearms manufacturer solely for imprinting a serial number
19 on a firearm or frame or receiver pursuant to this section.

20 **2. Violations.** A person who violates subsection 1:

21 A. For a first offense, commits a civil violation and may be assessed a penalty of not
22 more than \$2,500; and

23 B. For a 2nd or subsequent offense, commits a Class C crime.

24 **3. Serial number imprinted.** A serial number imprinted pursuant to this section must
25 begin with the federal firearms licensee's abbreviated federal firearms license number,
26 which is the first 3 and last 5 digits of the license number, and must be followed by a hyphen
27 and then by a unique identification number. The serial number may not be duplicated on
28 any other firearm or frame or receiver imprinted by the federal licensee and must be
29 imprinted in a manner that complies with the requirements under 27 Code of Federal
30 Regulations, Section 478.92 for imprinting serial numbers on firearms, including that the
31 serial number be at the minimum size and depth and not susceptible to being readily
32 obliterated, altered or removed.

33 **4. Returning firearm or frame or receiver imprinted with serial number.**
34 Returning a firearm or frame or receiver to a person after the firearm or frame or receiver
35 has been imprinted with a serial number pursuant to federal law or this section constitutes
36 a transfer that requires a background check of the transferee. A federal firearms licensee
37 that imprints a serial number on a firearm or frame or receiver pursuant to this section shall
38 conduct a background check on the transferee pursuant to 18 United States Code, Section
39 922(t) or Title 15, section 395. If the transfer is denied pursuant to the background check,
40 the federal firearms licensee shall deliver the firearm or frame or receiver to a law
41 enforcement agency for disposition. The law enforcement agency shall provide the federal
42 firearms licensee with a receipt on agency letterhead for the firearm or frame or receiver.

