MAINE STATE LEGISLATURE

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| | FIRST REGULAR SESS | SION |
|----------------|---|-------------------------------|
| | ONE HUNDRED AND ELEVENTH I | LEGISLATURE |
| Legisla | tive Document | No. 1238 |
| H.P. 95 | 7 House of Rep | oresentatives, March 17, 1983 |
| Ref ordered | erred to the Committee on Judiciary. Sent printed. | up for concurrence and |
| | | EDWIN H. PERT, Clerk |
| Presente | d by Representative Paradis of Old Town. | |
| | ponsor: Representative Joyce of Portland. | |
| | STATE OF MAINE | |
| | IN THE YEAR OF OUR | LORD |
| | NINETEEN HUNDRED AND EIG | |
| | AN ACT to Ban Metal-Pi | ercing |
| | Ammunition. | • |
| Be it | enacted by the People of the | State of Maine as |
| 1 | '-A MRSA §1056 is enacted to | read: |
| §1056 | Trafficking in metal-piero | ing ammunition. |
| <u>1</u> | A person is guilty | of trafficking in |
| metal. | | knowingly manufac- |
| tures | imports, sells, offers gives away, possesses or pu | to sell, displays, |
| nition | gives away, possesses or pu | rchases that ammu- |
| | As used in this chapter "m | |
| nitio | n" means any type of a | mmunition, or any |
| proje | projectile component thereof, which is coated with polytetrafluoroethylene or any other similar coating | |
| polyte | strafluoroethylene or any ot is designed primarily to enh | ner similar coating |
| | etrate metal or pierce prote | |
| | protoc proce | our our mor . |

- 3. Trafficking in metal-piercing ammunition is a Class C crime, punishment for which may not be suspended.
 - 4. A person who possesses metal-piercing ammunition and a suitable weapon for its discharge during the commission of another crime commits a Class B crime, the punishment for which may not be less than 5 years of imprisonment, which may not be suspended and which may not be served concurrently with any other sentence.
- 5. This section shall not apply to possession of metal-piercing ammunition by any member of the Armed Forces or Reserve Forces of the United States, the National Guard, police officers and police agencies or forensics laboratories when possessed while in the scope of employment.

STATEMENT OF FACT

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The purpose of this bill is to ban the manufacture, importation, sale, use or possession Also metal-piercing ammunition. known as "Cop Killer" bullets. these teflon-coated orplastic-coated, metallic bullets are easily capable of piercing modern Kevlar soft body armor, the protective equipment used by many law enforcement officers and some public officials. Having no value for sporting purposes, this type of ammunition represerious threat to law enforcement officers sents a and others.

The bill makes trafficking in metal-piercing ammunition a Class C crime and prohibits suspension of punishment. If such ammunition is possessed by a criminal while in the commission of a crime, the classification of the offense is elevated to a Class B crime, the punishment for which may not be suspended and which may not be served concurrently with any other sentence. At least 7 states and several municipalities have enacted laws similar to this bill.

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