

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1498

H.P. 1025

House of Representatives, April 11, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

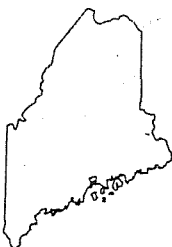
EDWIN H. PERT, Clerk

Presented by Representative OLIVER of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Promote Gun Safety.



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

Sec. 1. 17-A MRSa §558 is enacted to read:

§558. Access to firearm by child; penalty

For purposes of this section, "child" means a person who has not attained the age of 16 years.

1. Except as provided in subsection 2, a person is guilty of providing a child with access to a firearm if the person:

A. Recklessly stores, places or leaves a firearm in a public or private place without securing the firearm in a manner reasonably likely to prevent a child from obtaining unsupervised access to the firearm; or

B. Knowingly allows another person to store, place or leave a firearm in premises under the person's control without securing the firearm in a manner reasonably likely to prevent a child from obtaining unsupervised access to the firearm.

2. A person is not guilty under subsection 1 if:

A. The firearm is stored, placed or left in a securely locked box or container;

B. The firearm is securely locked with a trigger lock; or

C. The child obtains the firearm as a result of an illegal entry by another person.

3. Violation of this section is a Class D crime.

Sec. 2. Legislative intent; right to keep arms. It is the intent of the Legislature that citizens of the State retain their right to keep firearms for hunting and sporting activities or for the defense of self, family, home or business. Nothing in this Act may be construed to reduce or limit any existing right to purchase and own firearms, or to provide authority to any state or local agency to infringe upon the privacy of any family, home or business except by lawful warrant.

STATEMENT OF FACT

The purpose of this bill is to prevent injuries and death resulting from children gaining access to improperly stored firearms. It creates penalties applicable to persons who recklessly leave firearms accessible to children under the age of 16 years.