

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

No. 874

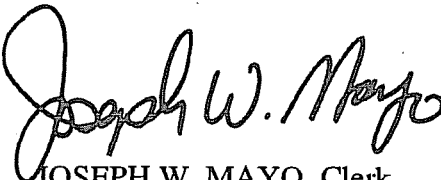
H.P. 643

House of Representatives, March 12, 1993

**An Act to Protect Police Officers from Armor-piercing Ammunition.**

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Reference to the Committee on Legal Affairs suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative DiPIETRO of South Portland.  
Cosponsored by Representatives: CARR of Sanford, KERR of Old Orchard Beach, KUTASI of  
Bridgton, PLOURDE of Biddeford, REED of Dexter, VIGUE of Winslow, YOUNG of  
Limestone.

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

2  
4       Sec. 1. 17-A MRSA §1056, as enacted by PL 1983, c. 430, is amended to read:

6       **§1056. Possession of armor-piercing ammunition**

8       1. A person is guilty of possession of metal-piercing armor-piercing ammunition if, without authority to do so, he the person knowingly possesses metal-piercing armor-piercing ammunition.

12       2. As used in this chapter, "metal-piercing armor-piercing ammunition" means any-type-of a projectile or projectile core that may be used in a handgun and that is constructed entirely, excluding the presence of traces of other substances, from one or a combination of tungsten alloys, steel, iron, brass, beryllium copper, or depleted uranium, including but not limited to ammunition commonly known as KTW ammunition. "Armor-piercing ammunition" does not include shotgun shot required by federal or state environmental or game laws, rules or regulations for hunting purposes, a frangible projectile designed for target shooting or any projectile or projectile core found by the United States Secretary of the Treasury or the secretary's delegate, pursuant to 27 Code of Federal Regulations, Section 178.148 or Section 178.149, to be:

28       A. Primarily intended to be used for sporting purposes; or

30       B. Used for industrial purposes, including a charge used in an oil and gas well perforating device.

32       3. Possession of metal-piercing armor-piercing ammunition is a Class B C crime.

36       4. This section shall does not apply to members of the United States Armed Forces, the United States Reserve Forces or the National Guard, or to law enforcement officers or agencies or forensic laboratories, in the course of duty or employment.

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42       **STATEMENT OF FACT**

44       At present, the term "metal-piercing ammunition" is not fully defined other than to include by name the most common "armor-piercing ammunition" known as "KTW ammunition." This bill changes the prohibition against metal-piercing ammunition to a prohibition against armor-piercing ammunition, by adopting the federal definition of "armor-piercing ammunition" in 18 United States Code, Section 921(a)(17)(B).

2           This bill also increases the penalty for possession of  
armor-piercing ammunition from a Class D misdemeanor to a Class C  
4 felony.