

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1509

S.P. 550

In Senate, May 9, 1995

An Act to Prohibit the Sale of Firearms to Minors without Parental Approval.

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator CLEVELAND of Androscoggin.
Cosponsored by Senator: BENOIT of Franklin, Representatives: CLARK of Millinocket,
JOHNSON of South Portland.

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

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Sec. 1. 17-A MRSA §554, sub-§1, ¶B, as enacted by PL 1991, c. 672, §1, is amended to read:

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B. Knowingly sells, furnishes, gives away or offers to sell, furnish or give away to a child under 16 years of age any intoxicating liquor, cigarettes, tobacco, air rifles, ~~firearms~~ or ammunition for firearms; or

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Sec. 2. 17-A MRSA §554, sub-§2, ¶C, as enacted by PL 1991, c. 672, §2, is amended to read:

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C. The defendant was the parent, foster parent, guardian or an adult approved by the parent, foster parent or guardian who furnished a child under 16 years of age an air rifle, ~~a firearm~~ or ammunition for a firearm for use in a supervised manner.

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Sec. 3. 17-A MRSA §1058 is enacted to read:

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§1058. Transfer of firearm to minor

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1. For the purposes of this section, a minor is a person who has not attained 18 years of age.

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2. A person is guilty of transferring a firearm to a minor if that person sells, furnishes, gives away or otherwise transfers a firearm to another person who, in fact, is a minor. It is not a defense to a prosecution under this section that the actor reasonably or unreasonably believed that the other person was not a minor.

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3. It is an affirmative defense to prosecution under this section that the defendant was the parent, foster parent or guardian of the minor or that the transfer of the firearm to the minor was approved by the parent, foster parent or guardian of the minor.

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4. Transferring a firearm to a minor is a Class C crime.

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STATEMENT OF FACT

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This bill creates the Class C crime of transferring a firearm to a minor.

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