

# MAINE STATE LEGISLATURE

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DATE: 3-31-00

(Filing No. H-987)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
119TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "F" to COMMITTEE AMENDMENT "A" to H.P. 1771, L.D. 2484, Bill, "An Act to Limit the Issuance of Concealed Firearms Permits"

Amend the amendment by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 19-A MRSA §4007-A is enacted to read:

**§4007-A. Concealed firearms permit prohibited**

A person who is the subject of a protective order granted under section 4007 or who is the subject of any similar order may not apply or reapply for a concealed firearms permit until that person is no longer the subject of the protective order. If a concealed firearms permit holder becomes the subject of a protective order, that person's permit must be revoked. For purposes of this section, a "similar order" means an order issued by any court of the United States or of any other state, territory, commonwealth or tribe that restrains the person from harassing, stalking or threatening an intimate partner or a child of an intimate partner or from engaging in other conduct that would place the intimate partner or the intimate partner's child in reasonable fear of bodily injury. This section applies only when the protective order or similar order was issued after a hearing for which that person received actual notice and at which that person had the opportunity to participate and that meets the provisions of Title 15, section 393, subsection 1, paragraph D, subparagraphs (1) and (2). For purposes of this section, "intimate partner" has the same meaning as defined in 18 United States Code, Section 921(a)(32).'

Further amend the amendment in section 2 in paragraph C-1 in

**HOUSE AMENDMENT**

2 the 3rd line from the end (page 2, line 15 in amendment) by  
 inserting after the following: "participate" the following:  
 4 'and that meets the provisions of Title 15, section 393,  
subsection 1, paragraph D, subparagraphs (1) and (2)'

6 Further amend the amendment in section 3 in division (j-1)  
 in the first line (page 2, line 23 in amendment) by striking out  
 8 the following: "Within the past 2 years have you been" and  
 inserting in its place the following: 'Are you now'

10 Further amend the amendment in section 3 in division (j-1)  
 12 in the 4th line from the end (page 2, line 36 in amendment) by  
 inserting after the following: "participate" the following:  
 14 'and that meets the provisions of Title 15, section 393,  
subsection 1, paragraph D, subparagraphs (1) and (2)'

16 Further amend the amendment in section 5 in paragraph F in  
 18 the 4th line from the end (page 3, line 20 in amendment) by  
 inserting after the following: "participate" the following:  
 20 'and that meets the provisions of Title 15, section 393,  
subsection 1, paragraph D, subparagraphs (1) and (2)'

22 Further amend the amendment in section 6 in subsection 3 in  
 24 the 2nd sentence in the 3rd line (page 3, line 34 in amendment)  
 by striking out the following: '2 years'

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### FISCAL NOTE

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This amendment may reduce by minor amounts the insignificant  
 reductions of General Fund revenue and dedicated revenue  
 32 collected by the Department of Public Safety from permit fees.

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### SUMMARY

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This amendment changes Committee Amendment "A" in the  
 38 following ways:

40 1. It mirrors current law regarding the possession of a  
 42 firearm to require the revocation of a concealed firearms permit  
 or prohibit the person from applying for a concealed firearms  
 44 permit if the person is the subject of a protective order that  
 was issued after a hearing for which the person received actual  
 notice and at which the person had the opportunity to participate  
 46 and that:

48 A. Includes a finding that the person represents a credible  
 threat to the physical safety of an intimate partner or  
 50 child; or


R. S.

HOUSE AMENDMENT "F" to COMMITTEE AMENDMENT "A" to H.P. 1771,  
L.D. 2484

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B. By its terms, explicitly prohibits the use, attempted use or threatened use of physical force against an intimate partner or child that would reasonably be expected to cause bodily injury; and

2. It allows a person who has been the subject of such a protective order to apply or reapply for a concealed firearms permit as soon as the protective order lapses.

SPONSORED BY:   
(Representative W. SAVAGE)

TOWN: Buxton

# HOUSE AMENDMENT