

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 166

H.P. 117

House of Representatives, January 13, 2005

An Act To Prohibit Firearms in a Courthouse

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CARR of Lincoln.
Cosponsored by Senator GAGNON of Kennebec and
Representatives: FLOOD of Winthrop, MILLS of Farmington, PERCY of Phippsburg,
ROBINSON of Raymond, SHERMAN of Hodgdon, TARDY of Newport, THOMAS of
Ripley.

2 **Emergency preamble. Whereas,** acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 **Whereas,** current law does not proscribe possession of
6 firearms in courthouses; and

8 **Whereas,** potentially inflammatory and controversial matters
are resolved in courthouses; and

10 **Whereas,** it is necessary to provide for the safety of
12 citizens who come to Maine's courthouses seeking justice and
those who work therein; and

14 **Whereas,** in the judgment of the Legislature, these facts
16 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
18 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

22 **Sec. 1. 17-A MRSA §1058** is enacted to read:

24 **§1058. Possession of firearm in courthouse**

26 1. A person may not possess a firearm in a courthouse.

28 2. This section does not apply to a person who is a law
30 enforcement officer acting in an official capacity.

32 3. A person who violates subsection 1 commits a Class D
34 crime.

36 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

38 **SUMMARY**

40 This bill makes it a crime for an individual who is not a
42 law enforcement officer acting in an official capacity to possess
a firearm in a courthouse.