

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1271

H.P. 868

House of Representatives, March 15, 2005

An Act Regarding the Possession of an Electronic Weapon

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BLANCHETTE of Bangor.
Cosponsored by Senator DIAMOND of Cumberland and
Representatives: DUPLESSIE of Westbrook, GERZOFSKY of Brunswick, LUNDEEN of
Mars Hill, MILLS of Farmington, PARADIS of Frenchville, PINEAU of Jay, TWOMEY of
Biddeford, WHEELER of Kittery.

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

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

6 **§1058. Possession of electronic weapon**

8 1. A person is guilty of possession of an electronic weapon if the person possesses an electronic weapon. Possession of an electronic weapon is a Class D crime.

10 2. As used in this section, "electronic weapon" means a portable device or weapon from which an electrical current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to cause bodily injury or serious bodily injury to a person.

12 3. This section does not apply to possession of an electronic weapon by:

14 A. A law enforcement officer or corrections officer in the discharge of the officer's official duties if the officer's appointing authority has authorized the possession and use of the electronic weapon; or

16 B. A supplier of electronic weapons if possession of the electronic weapon is necessary to the supply or sale of the device or weapon.

18 **SUMMARY**

20 This bill prohibits the possession of an electronic weapon
22 designed to incapacitate, injure or kill a person, except by a
24 law enforcement officer, corrections officer or a supplier of
26 electronic weapons to law enforcement organizations.
28