

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 717

H.P. 548

House of Representatives, February 23, 2011

### **An Act To Increase the Penalties for Possessing and Displaying a Firearm on School Property**

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Received by the Clerk of the House on February 18, 2011. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative MacDONALD of Boothbay.  
Cosponsored by Representatives: BEAUDOIN of Biddeford, BLODGETT of Augusta,  
BRIGGS of Mexico.

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

2 **Sec. 1. 20-A MRSA §6552**, as amended by PL 2009, c. 614, §§2 and 3, is  
3 repealed and the following enacted in its place:

4 **§6552. Firearms**

5 **1. Prohibition.** A person may not:

6 A. Possess a firearm on public school property or the property of an approved private  
7 school;

8 B. Display a firearm on public school property or the property of an approved private  
9 school; or

10 C. Discharge a firearm within 500 feet of public school property or the property of  
11 an approved private school.

12 **2. Exceptions.** The provisions under subsection 1 do not apply to the following.

13 A. The prohibition on the possession, display and discharge of a firearm does not  
14 apply to law enforcement officials.

15 B. The prohibition on the possession and display of a firearm does not apply to the  
16 following persons, if the possession and display is authorized by a written policy  
17 adopted by the school board:

18 (1) A person who possesses and displays an unloaded firearm for use in a  
19 supervised educational program approved and authorized by the school board and  
20 for which the school board has adopted appropriate safeguards to ensure student  
21 safety; and

22 (2) A person who possesses or possesses and displays an unloaded firearm that is  
23 stored inside a locked vehicle in a closed container, a zipped case or a locked  
24 firearms rack while the person is attending a hunter's breakfast or similar event  
25 that:

26 (a) Is held during an open firearm season established under Title 12, Part 13  
27 for any species of wild bird or wild animal;

28 (b) Takes place outside of regular school hours; and

29 (c) Is authorized by the school board.

30 C. The prohibition on possession, display and discharge of a firearm does not apply  
31 to a person possessing a firearm at a school-operated gun range or a person  
32 discharging a firearm as part of a school-sanctioned program at a school-operated gun  
33 range if the gun range and the program are authorized by a written policy adopted by  
34 the school's governing body.

35 **3. Penalty.** This subsection applies to violations of subsection 1.

36 A. A person who violates subsection 1, paragraph A commits a Class C crime.

37 B. A person who violates subsection 1, paragraph B commits a Class B crime.

