

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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**Legislative Document**

**No. 1439**

H.P. 1070

House of Representatives, April 11, 2011

### **An Act Regarding Permits To Carry Concealed Firearms**

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Submitted by the Department of Public Safety pursuant to Joint Rule 204.  
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative HANLEY of Gardiner.

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

2       **Sec. 1. 12 MRSA §11403, sub-§2, ¶B,** as amended by PL 2007, c. 163, §2 and  
3 affected by §3, is further amended to read:

4           B. A person may not carry firearms of any kind while hunting any species of wildlife  
5 with bow and arrow during the regular archery-only season on deer, except that a  
6 person who holds a license that allows hunting with firearms may carry a handgun.  
7 This paragraph may not be construed to prohibit a person who holds a valid permit to  
8 carry a concealed ~~firearm~~ handgun pursuant to Title 25, section 2003 from carrying a  
9 ~~firearm~~ handgun.

10       **Sec. 2. 17-A MRSA §1057, sub-§3,** as enacted by PL 1989, c. 917, §2, is  
11 amended to read:

12       **3.** It is not a defense to a prosecution under subsection 1 that the person holds a  
13 permit to carry a concealed ~~firearm~~ handgun issued under Title 25, chapter 252.

14       **Sec. 3. 17-A MRSA §1057, sub-§5,** as amended by PL 2009, c. 447, §20, is  
15 further amended to read:

16       **5.** For purposes of this section, "under the influence of intoxicating liquor or drugs  
17 or a combination of liquor and drugs or with an excessive alcohol level" has the same  
18 meaning as "under the influence of intoxicants" as defined in Title 29-A, section 2401,  
19 subsection 13. "Excessive alcohol level" means an alcohol level of 0.08 grams or more of  
20 alcohol per 100 milliliters of blood or 210 liters of breath. Standards, tests and  
21 procedures applicable in determining whether a person is under the influence or has an  
22 excessive alcohol level within the meaning of this section are those applicable pursuant to  
23 Title 29-A, sections 2411 and 2431; except that the suspension of a permit to carry  
24 concealed ~~firearms~~ handguns issued pursuant to Title 25, chapter 252, or of the authority  
25 of a private investigator licensed to carry a concealed ~~firearm~~ handgun pursuant to Title  
26 32, chapter 89, is as provided in those chapters.

27       **Sec. 4. 25 MRSA §2001-A, sub-§2, ¶A,** as enacted by PL 2003, c. 452, Pt. N, §2  
28 and affected by Pt. X, §2, is amended to read:

29           A. ~~Firearms~~ Handguns carried by a person to whom a valid permit to carry a  
30 concealed ~~firearm~~ handgun has been issued as provided in this chapter;

31       **Sec. 5. 25 MRSA §2001-A, sub-§2, ¶F,** as amended by PL 2007, c. 555, §1, is  
32 further amended to read:

33           F. A ~~firearm~~ handgun carried by a person to whom a valid permit to carry a  
34 concealed ~~firearm~~ handgun has been issued by another state if a permit to carry a  
35 concealed ~~firearm~~ handgun issued from that state has been granted reciprocity. The  
36 Chief of the State Police may enter into reciprocity agreements with any other states  
37 that meet the requirements of this paragraph. Reciprocity may be granted to a permit  
38 to carry a concealed ~~firearm~~ handgun issued from another state if:

- (1) The other state that issued the permit to carry a concealed ~~firearm~~ handgun has substantially equivalent or stricter requirements for the issuance of a permit to carry a concealed ~~firearm~~ handgun; and
- (2) The other state that issued the permit to carry a concealed ~~firearm~~ handgun observes the same rules of reciprocity regarding a person issued a permit to carry a concealed ~~firearm~~ handgun under this chapter.

**Sec. 6. 25 MRSA §2002, sub-§8-A** is enacted to read:

**8-A. Handgun.** "Handgun" means a type of firearm commonly referred to as a pistol or revolver originally designed to be fired by the use of a single hand and that is designed to fire or is capable of firing fixed cartridge ammunition. "Handgun" does not include a shotgun or rifle that has been altered by having its stock or barrel cut or shortened or an automatic firearm that may be held with a single hand.

**Sec. 7. 25 MRSA §2003**, as amended by PL 2007, c. 194, §5, is further amended to read:

**§2003. Permits to carry concealed handguns**

**1. Criteria for issuing permit.** The issuing authority shall, upon written application, issue a permit to carry concealed ~~firearms~~ handguns to an applicant over whom it has issuing authority and who has demonstrated good moral character and who meets the following requirements:

- A. Is 18 years of age or older;
- B. Is not disqualified to possess a firearm pursuant to Title 15, section 393, is not disqualified as a permit holder under that same section and is not disqualified to possess a firearm based on federal law as a result of a criminal conviction;
- D. Submits an application that contains the following:
- (1) Full name;
- (2) Full current address and addresses for the prior 5 years;
- (3) The date and place of birth, height, weight, color of eyes, color of hair, sex and race;
- (4) A record of previous issuances of, refusals to issue and revocations of a permit to carry concealed ~~firearms~~ handguns or other concealed weapons by any issuing authority in the State or any other jurisdiction. The record of previous refusals alone does not constitute cause for refusal and the record of previous revocations alone constitutes cause for refusal only as provided in section 2005; and
- (5) Answers to the following questions:
- (a) Are you less than 18 years of age?

- 1 (b) Is there a formal charging instrument now pending against you in this  
2 State for a crime under the laws of this State that is punishable by  
3 imprisonment for a term of one year or more?
- 4 (c) Is there a formal charging instrument now pending against you in any  
5 federal court for a crime under the laws of the United States that is  
6 punishable by imprisonment for a term exceeding one year?
- 7 (d) Is there a formal charging instrument now pending against you in another  
8 state for a crime that, under the laws of that state, is punishable by a term of  
9 imprisonment exceeding one year?
- 10 (e) If your answer to the question in division (d) is "yes," is that charged  
11 crime classified under the laws of that state as a misdemeanor punishable by  
12 a term of imprisonment of 2 years or less?
- 13 (f) Is there a formal charging instrument pending against you in another state  
14 for a crime punishable in that state by a term of imprisonment of 2 years or  
15 less and classified by that state as a misdemeanor, but that is substantially  
16 similar to a crime that under the laws of this State is punishable by  
17 imprisonment for a term of one year or more?
- 18 (g) Is there a formal charging instrument now pending against you under the  
19 laws of the United States, this State or any other state or the Passamaquoddy  
20 Tribe or Penobscot Nation in a proceeding in which the prosecuting authority  
21 has pleaded that you committed the crime with the use of a firearm against a  
22 person or with the use of a dangerous weapon as defined in Title 17-A,  
23 section 2, subsection 9, paragraph A?
- 24 (h) Is there a formal charging instrument now pending against you in this or  
25 any other jurisdiction for a juvenile offense that, if committed by an adult,  
26 would be a crime described in division (b), (c), (d) or (f) and involves bodily  
27 injury or threatened bodily injury against another person?
- 28 (i) Is there a formal charging instrument now pending against you in this or  
29 any other jurisdiction for a juvenile offense that, if committed by an adult,  
30 would be a crime described in division (g)?
- 31 (j) Is there a formal charging instrument now pending against you in this or  
32 any other jurisdiction for a juvenile offense that, if committed by an adult,  
33 would be a crime described in division (b), (c), (d) or (f), but does not  
34 involve bodily injury or threatened bodily injury against another person?
- 35 (k) Have you ever been convicted of committing or found not criminally  
36 responsible by reason of mental disease or defect of committing a crime  
37 described in division (b), (c), (f) or (g)?
- 38 (l) Have you ever been convicted of committing or found not criminally  
39 responsible by reason of mental disease or defect of committing a crime  
40 described in division (d)?

- 1 (m) If your answer to the question in division (l) is "yes," was that crime  
2 classified under the laws of that state as a misdemeanor punishable by a term  
3 of imprisonment of 2 years or less?
- 4 (n) Have you ever been adjudicated as having committed a juvenile offense  
5 described in division (h) or (i)?
- 6 (o) Have you ever been adjudicated as having committed a juvenile offense  
7 described in division (j)?
- 8 (p) Are you currently subject to an order of a Maine court or an order of a  
9 court of the United States or another state, territory, commonwealth or tribe  
10 that restrains you from harassing, stalking or threatening your intimate  
11 partner, as defined in 18 United States Code, Section 921(a), or a child of  
12 your intimate partner, or from engaging in other conduct that would place  
13 your intimate partner in reasonable fear of bodily injury to that intimate  
14 partner or the child?
- 15 (q) Are you a fugitive from justice?
- 16 (r) Are you a drug abuser, drug addict or drug dependent person?
- 17 (s) Do you have a mental disorder that causes you to be potentially  
18 dangerous to yourself or others?
- 19 (t) Have you been adjudicated to be an incapacitated person pursuant to Title  
20 18-A, Article 5, Parts 3 and 4 and not had that designation removed by an  
21 order under Title 18-A, section 5-307, subsection (b)?
- 22 (u) Have you been dishonorably discharged from the military forces within  
23 the past 5 years?
- 24 (v) Are you an illegal alien?
- 25 (w) Have you been convicted in a Maine court of a violation of Title 17-A,  
26 section 1057 within the past 5 years?
- 27 (x) Have you been adjudicated in a Maine court within the past 5 years as  
28 having committed a juvenile offense involving conduct that, if committed by  
29 an adult, would be a violation of Title 17-A, section 1057?
- 30 (y) To your knowledge, have you been the subject of an investigation by any  
31 law enforcement agency within the past 5 years regarding the alleged abuse  
32 by you of family or household members?
- 33 (z) Have you been convicted in any jurisdiction within the past 5 years of 3  
34 or more crimes punishable by a term of imprisonment of less than one year or  
35 of crimes classified under the laws of a state as a misdemeanor and  
36 punishable by a term of imprisonment of 2 years or less?
- 37 (aa) Have you been adjudicated in any jurisdiction within the past 5 years to  
38 have committed 3 or more juvenile offenses described in division (o)?

- 1 (bb) To your knowledge, have you engaged within the past 5 years in  
2 reckless or negligent conduct that has been the subject of an investigation by  
3 a governmental entity?
- 4 (cc) Have you been convicted in a Maine court within the past 5 years of any  
5 Title 17-A, chapter 45 drug crime?
- 6 (dd) Have you been adjudicated in a Maine court within the past 5 years as  
7 having committed a juvenile offense involving conduct that, if committed by  
8 an adult, would have been a violation of Title 17-A, chapter 45?
- 9 (ee) Have you been adjudged in a Maine court to have committed the civil  
10 violation of possession of a useable amount of marijuana, butyl nitrite or  
11 isobutyl nitrite in violation of Title 22, section 2383 within the past 5 years?
- 12 (ff) Have you been adjudicated in a Maine court within the past 5 years as  
13 having committed the juvenile crime defined in Title 15, section 3103,  
14 subsection 1, paragraph B of possession of a useable amount of marijuana, as  
15 provided in Title 22, section 2383?; and
- 16 E. Does the following:
- 17 (1) At the request of the issuing authority, takes whatever action is required by  
18 law to allow the issuing authority to obtain from the Department of Health and  
19 Human Services, limited to records of patient committals to Riverview  
20 Psychiatric Center and Dorothea Dix Psychiatric Center, the courts, law  
21 enforcement agencies and the military information relevant to the following:
- 22 (a) The ascertainment of whether the information supplied on the application  
23 or any documents made a part of the application is true and correct;
- 24 (b) The ascertainment of whether each of the additional requirements of this  
25 section has been met; and
- 26 (c) Section 2005;
- 27 (2) If a photograph is an integral part of the permit to carry concealed ~~firearms~~  
28 handguns adopted by an issuing authority, submits to being photographed for that  
29 purpose;
- 30 (3) If it becomes necessary to resolve any questions as to identity, submits to  
31 having fingerprints taken by the issuing authority;
- 32 (4) Submits an application fee along with the written application to the proper  
33 issuing authority pursuant to the following schedule:
- 34 (a) Resident of a municipality or unorganized territory, \$35 for an original  
35 application and \$20 for a renewal, except that a person who paid \$60 for a  
36 concealed firearms permit or renewal during 1991 or 1992 is entitled to a  
37 credit toward renewal fees in an amount equal to \$30 for a person who paid  
38 \$60 for an original application and \$45 for a person who paid \$60 for a  
39 permit renewal. The credit is valid until fully utilized; and
- 40 (b) Nonresident, \$60 for an original or renewal application, ~~except that a~~  
41 ~~person who paid \$80 for a concealed firearms permit during 1991 or 1992 is~~

1                   entitled to a \$20 credit toward permit renewal fees. The credit is valid until  
2                   fully utilized; and

3                   (5) Demonstrates to the issuing authority a knowledge of handgun safety. The  
4                   applicant may fully satisfy this requirement by submitting to the issuing  
5                   authority, through documentation in accordance with this subparagraph, proof  
6                   that the applicant has within 5 years prior to the date of application completed a  
7                   course that included handgun safety offered by or under the supervision of a  
8                   federal, state, county or municipal law enforcement agency or a firearms  
9                   instructor certified by a private firearms association recognized as knowledgeable  
10                  in matters of ~~firearms~~ handgun safety by the issuing authority or by the state in  
11                  which the course was taken. A course completion certificate or other document,  
12                  or a photocopy, is sufficient if it recites or otherwise demonstrates that the course  
13                  meets all of the requirements of this subparagraph.

14                  As an alternative way of fully satisfying this requirement, an applicant may  
15                  personally demonstrate knowledge of handgun safety to an issuing authority, if  
16                  the issuing authority is willing to evaluate an applicant's personal demonstration  
17                  of such knowledge. The issuing authority is not required to offer this 2nd option.

18                  The demonstration of knowledge of handgun safety to the issuing authority may  
19                  not be required of any applicant who holds a valid ~~State~~ state permit to carry a  
20                  concealed firearm as of April 15, 1990 or of any applicant who was or is in any  
21                  of the Armed Forces of the United States and has received at least basic firearms  
22                  training.

23                  **2. Complete application; certification by applicant.** The requirements set out in  
24                  subsection 1, constitute a complete application. By affixing the applicant's signature to  
25                  the application, the applicant certifies the following:

26                  A. That the statements the applicant makes in the application and any documents the  
27                  applicant makes a part of the application are true and correct;

28                  A-1. That the applicant understands that an affirmative answer to the question in  
29                  subsection 1, paragraph D, subparagraph (5), division (l) or (o) is cause for refusal  
30                  unless the applicant is nonetheless authorized to possess a firearm under Title 15,  
31                  section 393;

32                  A-2. That the applicant understands that an affirmative answer to subsection 1,  
33                  paragraph D, subparagraph (5), division (p) is cause for refusal if the order of the  
34                  court meets the preconditions contained in Title 15, section 393, subsection 1,  
35                  paragraph D. If the order of the court does not meet the preconditions, the conduct  
36                  underlying the order may be used by the issuing authority, along with other  
37                  information, in judging good moral character under subsection 4;

38                  B. That the applicant understands that an affirmative answer to one or more of the  
39                  questions in subsection 1, paragraph D, subparagraph (5), divisions (a), (k), (n) or (q)  
40                  to (x) is cause for refusal;

41                  B-1. That the applicant understands that an affirmative answer to one or more of the  
42                  questions in subsection 1, paragraph D, subparagraph (5), divisions (b) to (j), (m), (y),



(z) or (aa) to (ff) is used by the issuing authority, along with other information, in judging good moral character under subsection 4; and

C. That the applicant understands any false statements made in the application or in any document made a part of the application may result in prosecution as provided in section 2004.

**3. Copy of laws furnished to applicant.** A copy of this chapter and the definitions from other chapters ~~which~~ that are used in this chapter ~~shall~~ must be provided to every applicant.

**3-A. Model forms.** The Attorney General shall develop model forms for the following:

- A. An application for a resident permit to carry concealed ~~firearms~~ handguns;
- B. An application for a nonresident permit to carry concealed ~~firearms~~ handguns;
- C. A resident permit to carry concealed ~~firearms~~ handguns of which a photograph is an integral part;
- D. A resident permit to carry concealed ~~firearms~~ handguns of which a photograph is not an integral part;
- E. A nonresident permit to carry concealed ~~firearms~~ handguns; and
- F. Authority to release information to the issuing authority for the purpose of evaluating information supplied on the application.

Each issuing authority shall utilize only the model forms.

**4. Good moral character.** The issuing authority in judging good moral character shall make its determination in writing based solely upon information recorded by governmental entities within 5 years of receipt of the application, including, but not limited to, the following matters:

- A. Information of record relative to incidents of abuse by the applicant of family or household members, provided pursuant to Title 19-A, section 4012, subsection 1;
- B. Information of record relative to 3 or more convictions of the applicant for crimes punishable by less than one year imprisonment or one or more adjudications of the applicant for juvenile offenses involving conduct that, if committed by an adult, is punishable by less than one year imprisonment;
- C. Information of record indicating that the applicant has engaged in reckless or negligent conduct; or
- D. Information of record indicating that the applicant has been convicted of or adjudicated as having committed a violation of Title 17-A, chapter 45 or Title 22, section 2383, or adjudicated as having committed a juvenile crime that is a violation of Title 22, section 2383 or a juvenile crime that would be defined as a criminal violation under Title 17-A, chapter 45 if committed by an adult.

**5. Access to confidential records.** Notwithstanding that certain records retained by governmental entities are by law made confidential, the records pertaining to patient

1 committals to Riverview Psychiatric Center and Dorothea Dix Psychiatric Center, and  
2 records compiled pursuant to Title 19-A, section 4012, subsection 1, that are necessary to  
3 the issuing authority's determination of the applicant's good moral character and  
4 compliance with the additional requirements of this section and of section 2005 must, at  
5 the request of the issuing authority, be made available for inspection by and  
6 dissemination to the issuing authority.

7 **8. Term of permit.** All concealed ~~firearm~~ handgun permits are valid for 4 years  
8 from the date of issue, unless sooner revoked for cause by the issuing authority. If a  
9 permit renewal is issued before the expiration date of the permit being renewed or within  
10 6 months of the expiration date of the permit being renewed, the permit renewal is valid  
11 for 4 years from the expiration date of the permit being renewed.

12 **9. Information contained in permit.** Each permit to carry concealed ~~firearms~~  
13 handguns issued ~~shall~~ must contain the following: The name, address and physical  
14 description of the permit holder; the holder's signature; the date of issuance; and the date  
15 of expiration. A permit to carry concealed ~~firearms~~ handguns may additionally contain a  
16 photograph of the permit holder if the issuing authority makes a photograph an integral  
17 part of the permit to carry concealed ~~firearms~~ handguns.

18 **10. Validity of permit throughout the State.** Permits issued authorize the person  
19 to carry those concealed ~~firearms~~ handguns throughout the State.

20 **11. Permit to be in permit holder's immediate possession.** Every permit holder  
21 shall have ~~his~~ the holder's permit in ~~his~~ the holder's immediate possession at all times  
22 when carrying a concealed ~~firearm~~ handgun and shall display the same on demand of any  
23 law enforcement officer. ~~No~~ A person charged with violating this subsection may not be  
24 adjudicated as having committed a civil violation if ~~he~~ that person produces in court the  
25 concealed ~~firearms~~ handgun permit ~~which~~ that was valid at the time of the issuance of a  
26 summons to court or, if ~~he~~ the holder exhibits the permit to a law enforcement officer  
27 designated by the summoning officer not later than 24 hours before the time set for the  
28 court appearance, ~~no~~ a complaint may not be issued.

29 **12. Permit for a resident of 5 or more years to be issued or denied within 60**  
30 **days; permit for a nonresident and resident of less than 5 years to be issued or**  
31 **denied within 120 days.** The issuing authority, as defined in this chapter, shall issue or  
32 deny, and reply in writing as to the reason for any denial, within ~~30~~ 60 days of the  
33 application date in the case of a resident of 5 or more years and within ~~60~~ 120 days of the  
34 application date in the case of a nonresident or in the case of a resident of less than 5  
35 years. If the issuing authority does not issue or deny a request for a permit renewal  
36 within the time limits specified in this subsection, the validity of the expired permit is  
37 extended until the issuing authority issues or denies the renewal.

38 **13. Fee waiver.** An issuing authority may waive the permit fee for a permit issued  
39 to a law enforcement officer certified by the Maine Criminal Justice Academy.

40 **14. Lapsed permit.** A person may apply for renewal of a permit at the permit  
41 renewal rate at any time within 6 months after expiration of a permit. A person who

1 applies for a permit more than 6 months after the expiration date of the permit last issued  
2 to that person must submit an original application and pay the original application fee.

3 **15. Duty of issuing authority; application fees.** The application fees submitted by  
4 the applicant as required by subsection 1, paragraph E, subparagraph (4) are subject to the  
5 following.

6 A. If the issuing authority is other than the Chief of the State Police, \$25 of the fee  
7 for an original application and \$15 of the fee for a renewal must be paid over to the  
8 Treasurer of State.

9 B. If the Chief of the State Police is the issuing authority as the designee of a  
10 municipality under section 2002-A, \$25 of the fee for an original application and \$15  
11 of the fee for a renewal must be paid over to the Treasurer of State.

12 C. If the Chief of the State Police is the issuing authority because the applicant is  
13 either a resident of an unorganized territory or a nonresident, the application fee must  
14 be paid over to the Treasurer of State. The fee must be applied to the expenses of  
15 administration incurred by the State Police.

16 **16. Application fee; use.** The application fee submitted by the applicant as required  
17 by subsection 1, paragraph E, subparagraph (4) covers the cost of processing the  
18 application by the issuing authority and the cost of the permit to carry concealed ~~firearms~~  
19 handguns issued by the issuing authority.

20 **17. Waiver of law enforcement agency record and background check fees.**  
21 Notwithstanding any other provision of law, a law enforcement agency may not charge an  
22 issuing authority a fee in association with the law enforcement agency's conducting a  
23 concealed handgun permit applicant record check or background check for the issuing  
24 authority.

25 **Sec. 8. 25 MRSA §2004, sub-§1,** as enacted by PL 2003, c. 452, Pt. N, §3 and  
26 affected by Pt. X, §2, is amended to read:

27 **1. False statements.** A person who intentionally or knowingly makes a false  
28 statement in the written application for a permit to carry a concealed ~~firearm~~ handgun or  
29 any documents made a part of the application commits a Class D crime.

30 **Sec. 9. 25 MRSA §2005, sub-§2, ¶A,** as enacted by PL 1985, c. 478, §2, is  
31 amended to read:

32 A. If the permit holder changes ~~his~~ the permit holder's legal residence from one  
33 municipality to another during the term of the permit, the permit remains valid if ~~he~~  
34 the permit holder provides ~~his~~ the permit holder's new address to the issuing authority  
35 of ~~his~~ the permit holder's new residence within 30 days of making that change. The  
36 issuing authority of the new residence shall immediately reissue the permit with the  
37 corrected address for a fee of not more than \$2.

38 **Sec. 10. 25 MRSA §2005-A, sub-§1,** as enacted by PL 1989, c. 917, §16, is  
39 amended to read:

1       **1. Immediate suspension.** If the permit holder is required by law to submit to  
2 chemical testing for the presence of intoxicating liquor or drugs pursuant to Title 17-A,  
3 section 1057 or for conduct that occurs while the permit holder is in possession of a  
4 loaded firearm, and the permit holder refuses to submit to the required testing, the permit  
5 to carry a concealed ~~firearm~~ handgun issued to that person is immediately suspended and  
6 must be surrendered at that time by the permit holder to the law enforcement officer.

7       **Sec. 11. 25 MRSA §2006**, as enacted by PL 1985, c. 478, §2 and corrected by RR  
8 1999, c. 2, §28, is amended to read:

9       **§2006. Confidentiality of application**

10       Notwithstanding Title 1, sections 401 to 410, all applications for a permit to carry  
11 concealed ~~firearms~~ handguns and documents made a part of the application, refusals and  
12 any information of record collected by the issuing agency during the process of  
13 ascertaining whether an applicant is of good moral character and meets the additional  
14 requirements of sections 2003 and 2005, are confidential and may not be made available  
15 for public inspection or copying. The applicant may waive this confidentiality by written  
16 notice to the issuing authority. All proceedings relating to the issuance, refusal or  
17 revocation of a permit to carry concealed ~~firearms~~ handguns are not public proceedings  
18 under Title 1, chapter 13, unless otherwise requested by the applicant.

19       The issuing authority shall make a permanent record of each permit to carry  
20 concealed ~~firearms~~ handguns in a suitable book or file kept for that purpose. The record  
21 ~~shall~~ must include the information contained in the permit itself and ~~shall~~ must be  
22 available for public inspection.

23       **Sec. 12. 30-A MRSA §2801, sub-§3-A**, as enacted by PL 1987, c. 737, Pt. A, §2  
24 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is  
25 further amended to read:

26       **3-A. Names of those issued concealed handgun permits.** The names of persons  
27 issued concealed ~~firearms~~ handgun permits under Title 25, chapter 252, may not be  
28 printed in the annual report.

29       **Sec. 13. 32 MRSA §8120-A**, as enacted by PL 1997, c. 360, §5, is amended to  
30 read:

31       **§8120-A. Handguns**

32       A private investigator licensed under this chapter may carry a ~~firearm~~ handgun while  
33 performing the duties of a private investigator only after being issued a concealed  
34 ~~weapons~~ handgun permit by the Chief of the State Police under Title 25, chapter 252 and  
35 passing the written firearms examination prescribed by the commissioner.

36       **Sec. 14. Maine Revised Statutes headnote amended; revision clause.** In  
37 the Maine Revised Statutes, Title 25, chapter 252, in the chapter headnote, the words  
38 "permits to carry concealed firearms" are amended to read "permits to carry concealed

1 handguns" and the Revisor of Statutes shall implement this revision when updating,  
2 publishing or republishing the statutes.

### 3 SUMMARY

4 This bill makes the following changes to the laws governing permits to carry  
5 concealed firearms.

6 1. It adds a definition of "handgun" to the laws regarding permits to carry concealed  
7 firearms.

8 2. It clarifies that concealed firearm permits allow permittees to carry only handguns,  
9 such as pistol-type firearms, on the person, not long guns or machine guns.

10 3. It lengthens the amount of time issuing authorities have to process applications for  
11 concealed handgun permits.

12 4. It prohibits criminal justice agencies from charging fees to conduct record checks  
13 in relation to background checks that are conducted by issuing authorities as part of the  
14 process of reviewing a permit application.