

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 188

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H.P. 149

House of Representatives, February 5, 2013

### **An Act To Criminalize Possession of a Suspended or Revoked Concealed Handgun Permit**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MARKS of Pittston.  
Cosponsored by Representatives: PEASE of Morrill, PLANTE of Berwick.

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

2 **Sec. 1. 25 MRSA §2004, sub-§5** is enacted to read:

3 **5. Possessing a suspended or revoked permit.** A person who intentionally or  
4 knowingly possesses a suspended or revoked permit to carry concealed handguns  
5 commits a Class E crime.

6 **Sec. 2. 25 MRSA §2005, sub-§1**, as amended by PL 2009, c. 447, §25, is further  
7 amended to read:

8 **1. Revocation.** The issuing authority shall revoke a permit on the basis of one or  
9 more of the following determinations:

10 A. The application or any documents made part of the application contained a  
11 material misstatement;

12 B. The permit holder has been convicted of a violation of section 2001-A;

13 C. The permit holder becomes ineligible to possess a permit under this chapter.  
14 Ineligibility is determined on the basis of the criteria contained in section 2003;

15 D. For conduct that occurred after a permit was issued, that the permit holder was  
16 convicted of operating a motor vehicle, snowmobile, ATV or watercraft while under  
17 the influence of intoxicating liquor or drugs or with an excessive alcohol level and,  
18 by a preponderance of the evidence, that at the time of the offense the permit holder  
19 was in possession of a loaded firearm; or

20 E. For conduct that occurred after a permit was issued, that the permit holder was  
21 convicted of any violation of Title 17-A, chapter 45.

22 A permit revoked pursuant to this subsection must be immediately surrendered to the  
23 issuing authority.

24 **SUMMARY**

25 This bill requires the holder of a revoked concealed handgun permit to immediately  
26 surrender that license to the issuing authority. It also prohibits a person from possessing a  
27 suspended or revoked concealed handgun permit and makes a violation a Class E crime.