

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 540

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H.P. 359

House of Representatives, February 19, 2013

**An Act To Amend the Laws Governing the Discharge of a Firearm  
or Crossbow near a Dwelling or Building**

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Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SHAW of Standish.  
Cosponsored by Senator SAVIELLO of Franklin and  
Representatives: BRIGGS of Mexico, CHIPMAN of Portland, DION of Portland, PRIEST of  
Brunswick, TIMBERLAKE of Turner, WILSON of Augusta, Senator: MASON of  
Androscoggin.

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

2 **Sec. 1. 12 MRSA §11209**, as amended by PL 2009, c. 340, §14, is further  
3 amended to read:

4 **§11209. Discharge of firearm or crossbow near dwelling or building**

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

6 A. Unless a relevant municipal ordinance provides otherwise and except as provided  
7 in sections 12401 and 12402, discharge a firearm, including muzzle-loading firearms,  
8 or crossbow or cause a projectile to pass within 100 yards of a building or residential  
9 dwelling without the permission of the owner or, in the owner's absence, of an adult  
10 occupant of that building or dwelling authorized to act on behalf of the owner; or

11 B. Possess a wild animal or wild bird taken in violation of this subsection, except as  
12 otherwise provided in this Part.

13 This subsection may not be construed to prohibit a person from killing or taking a wild  
14 animal in accordance with sections 12401 and 12402.

15 For purposes of this subsection, "building" means any residential, commercial, retail,  
16 educational, religious or farm structure that is designed to be occupied by people or  
17 domesticated animals or is being used to shelter machines or harvested crops.

18 For purposes of this subsection, "projectile" means a bullet, pellet, shot, shell, ball, bolt or  
19 other object propelled or launched from a firearm or crossbow.

20 **2. Penalty.** A person who violates subsection 1 commits a Class E crime.

21 **SUMMARY**

22 This bill defines "projectile" to clarify what may be discharged within 100 yards of a  
23 building or residence when hunting.