

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2016

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Legislative Document

No. 1500

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H.P. 1023

House of Representatives, December 23, 2015

### **An Act To Protect and Promote Access to Sport Shooting Ranges**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 21, 2015. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative COREY of Windham.  
Cosponsored by Senator CYRWAY of Kennebec and  
Representatives: GROHMAN of Biddeford, MAREAN of Hollis, ORDWAY of Standish,  
SIROCKI of Scarborough, TIMBERLAKE of Turner, Senators: BURNS of Washington,  
DIAMOND of Cumberland, VOLK of Cumberland.

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

2 **Sec. 1. 8 MRSA c. 33** is enacted to read:

3 **CHAPTER 33**

4 **SPORT SHOOTING RANGES**

5 **§1201. Protection of sport shooting ranges**

6 **1. Definition.** As used in this section, unless the context otherwise indicates, "sport  
7 shooting range" has the same meaning as in Title 30-A, section 3011, subsection 1.

8 **2. Application of law.** Notwithstanding any other provision of law, a statute, rule,  
9 ordinance or other provision of law enacted or adopted after the establishment of a sport  
10 shooting range that if applied to that sport shooting range would cause the closure of that  
11 sport shooting range or substantially limit sport shooting at that sport shooting range does  
12 not apply to that sport shooting range and that sport shooting range is immune from suit,  
13 including but not limited to private and public civil actions, nuisance actions and actions  
14 for injunctive relief, based on a claim based on the statute, rule, ordinance or other  
15 provision of law. This subsection does not apply to or provide immunity from a suit  
16 based on negligence or recklessness in the operation of a sport shooting range or by a  
17 person using a sport shooting range.

18 **3. Authorized activities.** Notwithstanding any other provision of law, a sport  
19 shooting range may:

20 A. Repair, remodel, reconstruct or reinforce any building or structure as necessary to  
21 protect public safety or to secure the continued use of that building or structure;

22 B. Repair, restore, reconstruct or resume the use of a nonconforming building or  
23 structure damaged by fire, collapse, explosion or an act of God or otherwise; and

24 C. Take action consistent with generally accepted operation practices for sport  
25 shooting ranges, including but not limited to:

26 (1) Expanding or increasing its membership or opportunities for public  
27 participation; and

28 (2) Expanding or increasing its events and activities.

29 **SUMMARY**

30 This bill provides that a statute, rule, ordinance or other provision of law enacted or  
31 adopted after the establishment of a sport shooting range that if applied to that sport  
32 shooting range would cause the closure of that sport shooting range or substantially limit  
33 sport shooting at that sport shooting range does not apply to that sport shooting range and  
34 that sport shooting range is immune from suit, including but not limited to private and  
35 public civil actions, nuisance actions and actions for injunctive relief, based on a claim  
36 based on the statute, rule, ordinance or other provision of law.

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It allows a sport shooting range to:

1. Repair, remodel, reconstruct or reinforce any building or structure as necessary to protect public safety or to secure the continued use of that building or structure;
2. Repair, restore, reconstruct or resume the use of a nonconforming building or structure damaged by fire, collapse, explosion or an act of God or otherwise; and
3. Take action consistent with generally accepted operation practices for sport shooting ranges, including but not limited to expanding or increasing its membership or opportunities for public participation and expanding or increasing its events and activities.