



## **128th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2017

**Legislative Document** 

No. 443

S.P. 145

In Senate, February 7, 2017

An Act To Allow Municipally Funded Hospitals To Prohibit the Presence of Firearms on Their Property

(EMERGENCY)

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

Heath & Print

HEATHER J.R. PRIEST Secretary of the Senate

Presented by Senator DAVIS of Piscataquis. Cosponsored by Representative HIGGINS of Dover-Foxcroft and Senator: JACKSON of Aroostook, Representative: McELWEE of Caribou.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 Whereas, accidents and violence related to firearms are pervasive throughout our 4 society; and
- 5 **Whereas,** certain places that serve the public, such as hospitals, have an interest in 6 restricting the use and possession of firearms in the interest of public safety; and
- Whereas, expediency in enacting restrictions on firearm use and possession on
   hospital property can better ensure that a tragic accident or act of violence does not occur;
   and
- 10 Whereas, in the judgment of the Legislature, these facts create an emergency within 11 the meaning of the Constitution of Maine and require the following legislation as 12 immediately necessary for the preservation of the public peace, health and safety; now, 13 therefore,

## 14 Be it enacted by the People of the State of Maine as follows:

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 Sec. 1. 25 MRSA §2011, sub-§3, as enacted by PL 1989, c. 359, is amended to

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 read:

3. Exception. This section does not prohibit an order, ordinance, rule or regulation
 of any political subdivision which that, with the exception of appropriate civil penalty
 provisions, conforms exactly with any applicable provision of state law or which that
 regulates the discharge of firearms within a jurisdiction. This section does not prohibit a
 municipally funded hospital as defined by Title 36, section 2891, subsection 1-A from
 restricting the possession or use of a firearm, firearm component, ammunition or firearm
 supplies on any property used by the municipally funded hospital.

- 24 **Emergency clause.** In view of the emergency cited in the preamble, this 25 legislation takes effect when approved.
  - SUMMARY
- This bill allows a municipally funded hospital to restrict the possession or use of firearms and firearms-related items on property used by the municipally funded hospital.