MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1276

S.P. 396

In Senate, March 14, 2019

An Act To Better Enforce the Prohibition against Dangerous Persons Possessing Firearms

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

DAREK M. GRANT Secretary of the Senate

Presented by Senator SANBORN, L. of Cumberland. (BY REQUEST) Cosponsored by Representatives: GATTINE of Westbrook, HUBBELL of Bar Harbor, MEYER of Eliot.

| 1 | Be it enacted by the People of the State of Maine as follows: |
|----------------------------------|---|
| 2 | Sec. 1. 15 MRSA §394 is enacted to read: |
| 3 | §394. Background checks of firearm buyers |
| 4 5 6 7 8 9 10 | 1. Requirement. If neither the seller nor buyer in a transaction involving the transfer or sale of a firearm, as defined in Title 17-A, section 2, subsection 12-A, is a federally licensed firearms dealer, referred to in this section as "the dealer," the transaction must be facilitated by such a dealer. The dealer shall perform a background check of the buyer in the same manner as if the dealer were the seller of the firearm that is the subject of the transaction. If the background check reveals that the buyer is prohibited from purchasing a firearm, the dealer shall notify the seller of that fact. The dealer may charge a reasonable fee for serving as the facilitator. |
| 12 13 | 2. Limitations. This section applies only to transactions in which:A. The seller offers to sell or transfer the firearm at a gun show, event or function: |
| 14 | (1) The purpose of which is to facilitate the purchase and sale of firearms; |
| 15 16 | (2) At which 3 or more vendors of firearms offer firearms for sale; and(3) At which 25 or more firearms are offered for sale; or |
| 17 18 19 | B. Pursuant to an advertisement, posting, display or other listing on the Internet or in a publication, the seller offers to sell or transfer, or indicates an intent to sell or transfer, a firearm. |
| 20 | SUMMARY |
| 21 22 | This bill requires background checks of purchasers of firearms for all private sales at gun shows or private sales resulting from advertising or marketing. |