

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 569

H.P. 414

House of Representatives, February 24, 2021

An Act To Prohibit Hunting with a Bow within 100 Yards of a Building or Residence

Received by the Clerk of the House on February 22, 2021. Referred to the Committee on Inland Fisheries and Wildlife 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 TUELL of East Machias.
Cosponsored by Representatives: CARMICHAEL of Greenbush, LANDRY of Farmington,
MASON of Lisbon, McCREA of Fort Fairfield.

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

2 **Sec. 1. 12 MRSA §11209**, as amended by PL 2019, c. 14, §§1 and 2, is further
3 amended to read:

4 **§11209. Discharge of firearm, bow 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 subsections 3 and 4 and sections 12401 and 12402, discharge a firearm, including a
8 muzzle-loading firearm, bow or crossbow or cause a projectile to pass as a result of
9 that discharge within 100 yards of a building or residential dwelling without the
10 permission of the owner or, in the owner's absence, of an adult occupant of that building
11 or dwelling authorized to act on behalf of the owner; or

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

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

16 This subsection does not apply to a person discharging a bow in an expanded archery deer
17 zone during an expanded archery deer hunting season created by the commissioner by rule.

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

21 For purposes of this section, "projectile" means a bullet, pellet, shot, shell, ball, bolt or
22 other object propelled or launched from a firearm, bow or crossbow.

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

24 **3. Target practice; crossbow.** Unless otherwise prohibited, a landowner or the
25 landowner's invitee may discharge a bow or crossbow for recreational target practice
26 purposes on the landowner's property within 100 yards of a building or residential dwelling
27 without the permission of the owner of that building or dwelling. Nothing in this subsection
28 authorizes a landowner or the landowner's invitee to cause a projectile discharged from a
29 bow or crossbow to enter property owned by another person.

30 **4. Sport shooting ranges.** Unless otherwise prohibited, a person may discharge a
31 firearm on a sport shooting range as defined in Title 30-A, section 3011, subsection 1 that
32 is within 100 yards of a building if the sport shooting range was established and in regular
33 operation prior to the erection of the building.

34 **SUMMARY**

35 This bill prohibits the discharge of a bow within 100 yards of a building or residential
36 dwelling without the permission of the owner, but allows for recreational target practice.
37 It also provides an exception for discharging a bow in an expanded archery deer zone
38 during an expanded archery deer hunting season created by the Commissioner of Inland
39 Fisheries and Wildlife by rule.