

MAINE STATE LEGISLATURE

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Date 6/9/23

(Filing No S- 258)

MINORITY

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "B" to S P 14, L D 22, "An Act to Impede the Transfer of Firearms to Prohibited Persons"

Amend the bill by striking out everything after the enacting clause and inserting the following

'Sec. 1. 15 MRSA §394 is enacted to read

§394. Prohibited sale or transfer of firearms to certain persons

1 Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings

A "Antique firearm" means any of the following

(1) A firearm manufactured in or before 1898, including a firearm with a matchlock, flintlock, percussion cap or similar type of ignition system,

(2) A replica of a firearm described in subparagraph (1), if that replica

(a) Is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or

(b) Uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not readily available in the ordinary channels of commercial trade, or

(3) A muzzle-loading firearm, as defined in Title 12, section 10001, subsection 42

"Antique firearm" does not include a firearm or a muzzle-loading firearm that can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock or any combination of the barrel, bolt or breechblock

B "Firearm" has the same meaning as in Title 17-A, section 2, subsection 12-A

C "Sell" has the same meaning as in Title 17-A, section 554-A, subsection 1, paragraph C

COMMITTEE AMENDMENT

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D "Transfer" has the same meaning as in Title 17-A, section 554-A, subsection 1, paragraph A

2. Sale or transfer prohibited. A person may not knowingly or intentionally sell or transfer a firearm to a person who is prohibited from owning, possessing or having under that person's control a firearm pursuant to section 393 and who does not have a permit issued under section 393 This subsection does not apply to the sale or transfer of an antique firearm

Violation of this subsection is a Class D crime '

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

SUMMARY

This amendment, which is the minority report of the committee, replaces the bill The amendment excludes the sale or transfer of an antique firearm from the crime prohibiting the sale or transfer of firearms to certain persons It also adds a definition of "antique firearms "

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 22

LR 46(03)

An Act to Impede the Transfer of Firearms to Prohibited Persons

Fiscal Note for Bill as Amended by Committee Amendment "B" (S-250)
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund
Minor revenue increase - Other Special Revenue Funds

Correctional and Judicial Impact Statements

Establishes new Class D crime The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time
The collection of additional fines will increase General Fund or other dedicated revenue by minor amounts