

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 582

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S.P. 250

In Senate, February 13, 2023

### **An Act to Enhance Certain Penalties for Possession of Firearms by Prohibited Persons**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator LYFORD of Penobscot.  
Cosponsored by Representative CAMPBELL of Orrington and  
Senators: BLACK of Franklin, GUERIN of Penobscot, POULIOT of Kennebec,  
TIMBERLAKE of Androscoggin, Representatives: DRINKWATER of Milford, THORNE of  
Carmel, WOOD of Greene.

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

2 **Sec. 1. 15 MRSA §393, sub-§1, ¶A-1**, as amended by PL 2021, c. 608, Pt. B, §§1  
3 to 3, is further amended by amending the first blocked paragraph to read:

4 Violation of this paragraph is a Class B crime;

5 **Sec. 2. 15 MRSA §393, sub-§1, ¶D**, as amended by PL 2021, c. 608, Pt. B, §5, is  
6 further amended by amending the first blocked paragraph to read:

7 Violation of this paragraph is a Class D C crime;

8 **Sec. 3. 15 MRSA §393, sub-§1, ¶E**, as amended by PL 2015, c. 470, §1, is further  
9 amended by amending the first blocked paragraph to read:

10 Violation of this paragraph is a Class D C crime;

11 **Sec. 4. 15 MRSA §393, sub-§1, ¶F**, as amended by PL 2015, c. 470, §1, is further  
12 amended to read:

13 F. Is a fugitive from justice. For the purposes of this paragraph, "fugitive from justice"  
14 has the same meaning as in section 201, subsection 4. Violation of this paragraph is a  
15 Class D C crime;

16 **Sec. 5. 15 MRSA §393, sub-§1, ¶G**, as amended by PL 2015, c. 470, §1, is further  
17 amended to read:

18 G. Is an unlawful user of or is addicted to any controlled substance and as a result is  
19 prohibited from possession of a firearm under 18 United States Code, Section  
20 922(g)(3). Violation of this paragraph is a Class D C crime;

21 **Sec. 6. 15 MRSA §393, sub-§1, ¶H**, as amended by PL 2015, c. 470, §1, is further  
22 amended to read:

23 H. Is an alien who is illegally or unlawfully in the United States or who was admitted  
24 under a nonimmigrant visa and who is prohibited from possession of a firearm under  
25 18 United States Code, Section 922(g)(5). Violation of this paragraph is a Class D C  
26 crime;

27 **Sec. 7. 15 MRSA §393, sub-§1, ¶I**, as amended by PL 2015, c. 470, §1, is further  
28 amended to read:

29 I. Has been discharged from the United States Armed Forces under dishonorable  
30 conditions. Violation of this paragraph is a Class D C crime; or

31 **Sec. 8. 15 MRSA §393, sub-§1, ¶J**, as amended by PL 2015, c. 470, §1, is further  
32 amended to read:

33 J. Has, having been a citizen of the United States, renounced that person's citizenship.  
34 Violation of this paragraph is a Class D C crime.

35 **SUMMARY**

36 This bill increases the class of crime for the prohibited possession of a firearm by  
37 certain persons.