

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1103

H.P. 698

House of Representatives, March 9, 2023

**An Act to Allow Persons Who Lawfully Use or Possess Cannabis to
Own or Possess Firearms or Ammunition**

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

A handwritten signature in black ink that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BOYER of Poland.
Cosponsored by Representatives: EATON of Deer Isle, FAULKINGHAM of Winter Harbor,
HASENFUS of Readfield, LIBBY of Auburn, MATHIESON of Kittery, SUPICA of Bangor,
WARREN of Scarborough, Senator: HICKMAN of Kennebec.

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

2 **Sec. 1. 5 MRSA c. 372, sub-c. 2, art. 4** is enacted to read:

3 **ARTICLE 4**

4 **COOPERATION WITH FEDERAL AGENCY OR OFFICIAL**

5 **§7075. Cooperation with federal agency or official**

6 A state employee may not assist a federal agency or federal official with locating,
7 apprehending, arresting or charging a person alleged to have violated 18 United States
8 Code, Section 922(g)(3) because the person possesses or uses cannabis pursuant to Title
9 22, chapter 558-C or Title 28-B.

10 **Sec. 2. 15 MRSA §393, sub-§1, ¶G**, as amended by PL 2015, c. 470, §1, is further
11 amended to read:

12 G. Is an unlawful user of or is addicted to any controlled substance, except cannabis
13 used, possessed or transported in accordance with Title 22, chapter 558-C or Title 28-B,
14 and as a result is prohibited from possession of a firearm under 18 United States Code,
15 Section 922(g)(3). Violation of this paragraph is a Class D crime;

16 **Sec. 3. 30-A MRSA §2007** is enacted to read:

17 **§2007. Cooperation with federal agency or official**

18 A municipal official may not assist a federal agency or federal official with locating,
19 apprehending, arresting or charging a person alleged to have violated 18 United States
20 Code, Section 922(g)(3) because the person possesses or uses cannabis pursuant to Title
21 22, chapter 558-C or Title 28-B.

22 **SUMMARY**

23 This bill exempts persons who use or possess cannabis pursuant to the Cannabis
24 Legalization Act or the Maine Medical Use of Cannabis Act from the prohibition on the
25 possession of a firearm provided in the Maine Revised Statutes, Title 15, section 393. It
26 prohibits a state employee or municipal official from assisting a federal agency or federal
27 official with locating, apprehending, arresting or charging a person alleged to have violated
28 18 United States Code, Section 922(g)(3) because the person possesses or uses cannabis
29 pursuant to Title 22, chapter 558-C or Title 28-B.