

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1451

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S.P. 569

In Senate, March 30, 2023

### **An Act to Prohibit State and Local Enforcement of Federal Firearms Laws**

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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 BRAKEY of Androscoggin.  
Cosponsored by Representative PERKINS of Dover-Foxcroft and  
Representatives: ANDREWS of Paris, BAGSHAW of Windham, BOYER of Poland,  
GIFFORD of Lincoln, GUERRETTE of Caribou, LAVIGNE of Berwick, QUINT of Hodgdon,  
SMITH of Palermo.

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

2 **Sec. 1. 25 MRSA §2015** is enacted to read:

3 **§2015. Prohibition on state and local enforcement of federal laws related to firearms**

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

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

7 B. "Government entity" means a state government entity, state government entity  
8 official, local government entity, local government entity official, law enforcement  
9 agency or law enforcement agency official.

10 C. "Law enforcement agency" means an agency in the State charged with enforcement  
11 of state, county, municipal or federal laws or with managing custody of detained  
12 persons in the State and includes, but is not limited to, municipal police departments,  
13 sheriff's departments, organized police departments of colleges and universities, the  
14 Department of Public Safety and the Department of Corrections.

15 D. "Law enforcement agency official" means a person having official duties as a  
16 representative, agent or employee of a law enforcement agency.

17 E. "Local government entity" means a county, municipality or other political  
18 subdivision of the State.

19 F. "Local government entity official" means a person having official duties as a  
20 representative, agent or employee of a local government entity.

21 G. "State government entity" means a department, agency, bureau, commission,  
22 council or other entity established under the laws of the State.

23 H. "State government entity official" means a person having official duties as a  
24 representative, agent or employee of a state government entity.

25 **2. Prohibition.** Notwithstanding any provision of law to the contrary, a government  
26 entity may not take any action to enforce or assist in the enforcement of federal laws that  
27 restrict a person's right to own, possess and purchase firearms. This subsection may not be  
28 interpreted to prohibit a government entity from enforcing a state law restricting a person's  
29 right to own, possess and purchase firearms.

30 **Sec. 2. 25 MRSA §2016** is enacted to read:

31 **§2016. Prohibition on restricting firearm rights based on cannabis use**

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

34 A. "Federal agency" means any department, independent establishment, government  
35 corporation or any other agency of the executive branch of the Federal Government.

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

37 C. "Government entity" has the same meaning as in section 2015, subsection 1,  
38 paragraph B.

