

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2238

S.P. 958

In Senate, February 28, 2024

**An Act to Address Gun Violence in Maine by Requiring a Waiting Period for
Certain Firearm Purchases**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.
Reference to the Committee on Judiciary suggested and ordered printed.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator ROTUNDO of Androscoggin.

Cosponsored by Representative CRAVEN of Lewiston and

Senators: BAILEY of York, BEEBE-CENTER of Knox, BRENNER of Cumberland, CARNEY of Cumberland, DAUGHTRY of Cumberland, DUSON of Cumberland, INGWERSEN of York, President JACKSON of Aroostook, LAWRENCE of York, NANGLE of Cumberland, PIERCE of Cumberland, RAFFERTY of York, Representatives: ABDI of Lewiston, ANKELES of Brunswick, ARFORD of Brunswick, BELL of Yarmouth, BOYLE of Gorham, BRENNAN of Portland, BRIDGEO of Augusta, CLOUTIER of Lewiston, CLUCHEY of Bowdoinham, COPELAND of Saco, CRAFTS of Newcastle, DHALAC of South Portland, DODGE of Belfast, DOUDERA of Camden, EATON of Deer Isle, GATTINE of Westbrook, GEIGER of Rockland, GERE of Kennebunkport, GOLEK of Harpswell, GRAHAM of North Yarmouth, GRAMLICH of Old Orchard Beach, HOBBS of Wells, JAUCH of Topsham, KUHN of Falmouth, LAJOIE of Lewiston, LaROCHELLE of Augusta, LOOKNER of Portland, MADIGAN of Waterville, MALON of Biddeford, MASTRACCIO of Sanford, MATHIESON of Kittery, MATLACK of St. George, MEYER of Eliot, MILLETT of Cape Elizabeth, MONTELL of Gardiner, MOONEN of Portland, MORIARTY of Cumberland, MURPHY of Scarborough, O'NEIL of Saco, OSHER of Orono, PERRY of Calais, PERRY of Bangor, PRINGLE of Windham, RANA of Bangor, RIELLY of Westbrook, RISEMAN of Harrison, ROEDER of Bangor, RUNTE of York, SACHS of Freeport, SALISBURY of Westbrook, SARGENT of York, SAYRE of Kennebunk, SHAW of Auburn, SINCLAIR of Bath, SKOLD of Portland, STOVER of Boothbay, SUPICA of Bangor, Speaker TALBOT ROSS of Portland, TERRY of Gorham, WARREN of Scarborough, WHITE of Waterville, WORTH of Ellsworth, ZAGER of Portland, ZEIGLER of Montville.

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. Waiting period after sale of firearm**

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

6 A. "Agreement" means an agreement reached between a buyer and a seller for the
7 purchase and the sale of a firearm.

8 B. "Buyer" means a person, not including a firearm dealer, who receives possession or
9 ownership of a firearm through an agreement.

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

11 D. "Firearm dealer" means a person that is licensed as a dealer under 18 United States
12 Code, Section 923(a)(3) or that is required to be licensed as a dealer under that section.

13 E. "Seller" means a person or firearm dealer that owns a firearm and that is transferring
14 ownership of the firearm to a buyer pursuant to an agreement.

15 **2. Waiting period.** A seller may not knowingly deliver a firearm to a buyer pursuant
16 to an agreement sooner than 72 hours after the agreement.

17 **3. Penalty.** This subsection applies to violations of subsection 2.

18 A. A seller who violates subsection 2 commits a civil violation for which a fine of not
19 less than \$200 and not more than \$500 may be adjudged.

20 B. A seller who violates subsection 2 after having previously been adjudicated as
21 violating subsection 2 commits a civil violation for which a fine of not less than \$500
22 and not more than \$1,000 may be adjudged.

23 **4. Application.** This section does not apply to:

24 A. The sale of a firearm if the seller knows that the person to whom the seller is selling
25 the firearm is:

26 (1) A law enforcement officer as defined by Title 17-A, section 2, subsection 17;

27 (2) A corrections officer as defined by section 2801-A, subsection 2; or

28 (3) A person who is employed by a contract security company or proprietary
29 security organization as defined by Title 32, section 9403 or a person who is
30 licensed as a private security guard under Title 32, chapter 93; or

31 B. The sale of a firearm to a firearm dealer.

32 **SUMMARY**

33 This bill requires a 72-hour waiting period between an agreement for the purchase and
34 sale of a firearm and the delivery of that firearm to the purchaser. Certain exemptions, such
35 as the sale to a federally licensed firearm dealer or a law enforcement officer, are specified.