

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

Date: (Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 848, L.D. 1170, “An Act Regarding Unauthorized Possession of a Firearm in a Correctional Facility”

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Unauthorized Possession of a Firearm in a Correctional Facility or Jail'

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

'Sec. 1. 17-A MRSA §1059 is enacted to read:

§1059. Unauthorized possession of a firearm in a correctional facility or jail

1. A person is guilty of unauthorized possession of a firearm in a correctional facility or jail if that person in fact possesses a firearm in a correctional facility or jail or on the premises of the correctional facility or jail.

2. This section does not apply to:

A. A law enforcement officer, a corrections officer or a corrections supervisor engaged in the performance of the law enforcement officer's, corrections officer's or corrections supervisor's public duty;

B. An employee of a courier or security service in the course and scope of employment for the courier or security service, as approved by the chief administrative officer of the correctional facility or the jail administrator; or

C. A person who has stored a firearm out of sight in a locked motor vehicle that is on the premises of a correctional facility or jail.

3. It is not a defense to a prosecution under this section that the person holds a valid permit to carry a concealed handgun issued under Title 25, chapter 252.

4. Unauthorized possession of a firearm in a correctional facility or jail is a Class D crime.

COMMITTEE AMENDMENT

1 5. For the purposes of this section, "chief administrative officer" and "correctional
2 facility" have the same meanings as in Title 34-A, section 1001, subsections 1 and 6,
3 respectively, and "jail" means a county or regional jail.'

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

6 **SUMMARY**

7 The bill makes the unauthorized possession of a firearm in a correctional facility a
8 Class D crime. This amendment also makes the unauthorized possession of a firearm in a
9 jail or on the premises of a correctional facility or jail a Class D crime. The amendment
10 exempts from the law a person who has stored a firearm out of sight in a locked motor
11 vehicle that is on the premises of the correctional facility or jail.