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.

Presented by Senator ROTUNDO of Androscoggin.
Be it enacted by the People of the State of Maine as follows:

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

§2015. Waiting period after sale of firearm

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

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

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

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

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

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

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

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

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

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

4. Application. This section does not apply to:

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

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

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

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

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

SUMMARY

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