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Date: (Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 647, L.D. 1011, “An Act Requiring the Reporting of Stolen Firearms”

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

'Sec. 1. 15 MRSA §455-B is enacted to read:

§455-B. Reporting of stolen firearm; failure to report stolen firearm

1. Requirement. The owner of a firearm shall report the loss or theft of the firearm to a local law enforcement agency in the jurisdiction in which the loss or theft occurred within 72 hours of the time the owner knew that the firearm had been lost or stolen. This subsection does not apply to the loss or theft of an antique firearm, as defined in 18 United States Code, Section 921(a)(16) as in effect on June 25, 2022.

2. Penalties. The following penalties apply to violations of this section.

A. A person who violates subsection 1 commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

B. A person is guilty of failure to report a stolen firearm if the person violates subsection 1 and, at the time of the offense, the person has 2 or more adjudications or convictions for violating subsection 1 or has 2 or more adjudications or convictions for engaging in substantially similar conduct to that contained in subsection 1 in another jurisdiction within the previous 10-year period. Violation of this paragraph is a Class E crime.'

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

SUMMARY

This amendment, which is the minority report of the committee, replaces the bill. The amendment removes the language "or reasonably should have known" from the requirement to report a stolen firearm. The amendment also clarifies that a person commits

COMMITTEE AMENDMENT

1 a Class E crime if the person fails to report a stolen firearm and that person has been
2 adjudicated or convicted of failing to report a stolen firearm at least 2 previous times within
3 the previous 10-year period.

4 **FISCAL NOTE REQUIRED**

5 **(See attached)**