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Date: (Filing No. S-)

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**STATE OF MAINE
SENATE
132ND LEGISLATURE
FIRST SPECIAL SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 745, L.D. 1126, “An Act Requiring Serial Numbers on Firearms and Prohibiting Undetectable Firearms”

Amend the amendment by striking out everything after the title and inserting the following:

'Amend the bill by striking out the title and substituting the following:
'An Act Regarding Unlawful Possession, Manufacturing and Use of Firearms Without Serial Numbers'

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

'Sec. 1. 25 MRSA c. 253-A is enacted to read:

CHAPTER 253-A

FIREARMS WITHOUT SERIAL NUMBERS

§2036. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

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

2. Firearm without a serial number. "Firearm without a serial number" means a firearm that has had the importer's or manufacturer's serial number required by federal law removed, obliterated or altered or a firearm not imprinted with an importer's or manufacturer's serial number required by federal law. "Firearm without a serial number" does not include a firearm that was manufactured before 1969, an antique firearm or a firearm that has been rendered permanently inoperable. For the purposes of this subsection, "antique firearm" has the same meaning as in Title 15, section 394, subsection 1, paragraph A.

SENATE AMENDMENT

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§2037. Violations

1. Unlawful possession. A person prohibited from possessing firearms under Title 15, section 393 who knowingly possesses a firearm without a serial number commits a Class B crime.

2. Unlawful manufacture. A person prohibited from possessing firearms under Title 15, section 393 who manufactures a firearm without a serial number commits a Class B crime.

3. Unlawful use. A person who uses a firearm without a serial number while committing a Class A or Class B crime or while committing the crime of reckless conduct under Title 17-A, section 211 commits a Class C crime.'

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

SUMMARY

This amendment replaces Committee Amendment "A" and the bill and changes the title of the bill. The amendment provides that it is a Class B crime for a person prohibited from possessing firearms under the Maine Revised Statutes, Title 15, section 393 to manufacture or knowingly possess a firearm without a serial number and that it is a Class C crime for a person to use a firearm without a serial number while committing a Class A or Class B crime or while committing the crime of reckless conduct. The amendment defines "firearm without a serial number" as a firearm that was not imprinted with a serial number by the importer or manufacturer in accordance with federal law or a firearm that has had the imprinted importer or manufacturer serial number removed, obliterated or altered. The amendment clarifies that firearms manufactured before 1969, antique firearms and firearms that are rendered permanently inoperable are excluded from the definition of "firearm without a serial number."

SPONSORED BY: _____

(Senator HARRINGTON, M.)

COUNTY: York