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An Act To Amend the Laws Governing the Discharge of a Firearm or Crossbow near a Dwelling or Building

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §11209, as amended by PL 2009, c. 340, §14, is further amended to read:

§ 11209. Discharge of firearm or crossbow near dwelling or building

1. Prohibition. A person may not:

A. Unless a relevant municipal ordinance provides otherwise and except as provided in sections 12401 and 12402, discharge a firearm, including muzzle-loading firearms, or crossbow or cause a projectile to pass within 100 yards of a building or residential dwelling without the permission of the owner or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or

B. Possess a wild animal or wild bird taken in violation of this subsection, except as otherwise provided in this Part.

This subsection may not be construed to prohibit a person from killing or taking a wild animal in accordance with sections 12401 and 12402.

For purposes of this subsection, "building" means any residential, commercial, retail, educational, religious or farm structure that is designed to be occupied by people or domesticated animals or is being used to shelter machines or harvested crops.

For purposes of this subsection, "projectile" means a bullet, pellet, shot, shell, ball, bolt or other object propelled or launched from a firearm or crossbow.

2. Penalty. A person who violates subsection 1 commits a Class E crime.

SUMMARY

This bill defines "projectile" to clarify what may be discharged within 100 yards of a building or residence when hunting.