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Resolve, To Protect Concealed Handgun Permit Information on a Temporary Basis

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the list of all holders of concealed handgun permits in the State is public, which includes personal information of the permit holders such as name, full current address and date of birth; and

Whereas, the public dissemination of personal information of concealed handgun permit holders subjects a holder to possible identity theft and puts the holder's and the holder's family's well-being at risk; and

Whereas, this resolve places a temporary moratorium on public access to such permanent records pending the Legislature's consideration of the issue; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1 Moratorium on access. Resolved: That, notwithstanding the Maine Revised Statutes, Title 25, section 2006, until April 30, 2013, a permanent record that is created by an issuing authority of a concealed handgun permit is confidential and may not be made available for public inspection or copying. A person who has received information that is confidential pursuant to this section may not redistribute or disseminate the information to a person who is not authorized to receive the information. Notwithstanding any provision of law to the contrary, this section applies to requests for information under the Freedom of Access Act that are pending on the effective date of this resolve; and be it further

Sec. 2 Repeal. Resolved: That this resolve is repealed on April 30, 2013.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

Current law requires the issuing authority of a concealed handgun permit to make a permanent record of each permit that includes the information contained in the permit itself and provides that the permanent record must be available for public inspection. This resolve places a moratorium on public access to such permanent records for a period of approximately 4 months, pending the Legislature's consideration of a measure to amend that section of law.