

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

H.P. 779 - L.D. 1174

**An Act to Limit the Liability of Gun Shops That Provide Firearm Hold
Agreements**

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

Sec. 1. 25 MRSA §2017 is enacted to read:

§2017. Limitation of liability of holder of firearm hold agreement

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

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

B. "Firearm hold agreement" means a written agreement between a firearm owner and another person in which the person at the owner's request takes physical possession of a lawfully possessed firearm of the owner and holds the firearm for an agreed period of time.

C. "Gun shop" has the same meaning as in section 2015, subsection 1, paragraph D.

2. Holding firearms for 3rd parties. A gun shop may take possession of a firearm from a person for safekeeping under the following conditions:

A. The gun shop enters into a firearm hold agreement with the owner of the firearm; and

B. The gun shop contacts the owner of the firearm every 6 months after taking possession of the firearm until the firearm is returned to the owner of the firearm.

3. Immunity from liability. An action may not be taken against a gun shop that entered into a firearm hold agreement for returning the firearm to the owner of the firearm at the termination of the firearm hold agreement. The immunity provided in this subsection does not apply to otherwise unlawful conduct of the gun shop returning the firearm to the owner of the firearm under this section. An action may not be brought against a person for refusing to enter into a firearm hold agreement with any person.

4. Rules. The Department of Public Safety shall adopt rules to carry out the purposes of this section. Rules adopted under this subsection are routine technical rules under Title 5, chapter 375, subchapter 2-A.

Sec. 2. Department of Public Safety to create firearm hold agreement form.
By January 1, 2026, the Department of Public Safety shall create a firearm hold agreement form to be used by gun shops that hold firearms in accordance with the Maine Revised Statutes, Title 25, section 2017. The firearm hold agreement form must indicate an immediate family member or other individual who may lawfully possess a firearm and who may take possession of the firearm upon proof of the death of the owner of the firearm during the pendency of the firearm hold agreement.