

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

H.P. 1062 - L.D. 1446

An Act To Aid Municipalities in the Issuance of Concealed Handgun Permits

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

Sec. 1. 25 MRSA §2002, sub-§9, as amended by PL 2011, c. 366, §5, is further amended to read:

9. Issuing authority. "Issuing authority" means the following:

A. To a legal resident of a municipality with a full-time chief of police:

(1) ~~The mayor and~~ Except as otherwise provided in this paragraph, the municipal officers or councilors of a city, the municipal officers or councilors of a town or the assessors of a plantation or, if they so choose, their full-time chief of police as their designee of the municipality; or

(2) ~~The Chief of the State Police as the designee of the municipal officers under section 2002-A;~~

(3) The chief of police of the municipality if the municipal officers of the municipality designate the chief as the issuing authority;

(4) The chief of police of an adjacent municipality if the municipal officers of the municipality designate the chief as the issuing authority and the chief agrees to the designation in accordance with section 2002-B; or

(5) The sheriff of the county where the municipality is located if the municipal officers of the municipality designate the sheriff as the issuing authority and the sheriff agrees to the designation in accordance with section 2002-B;

A-1. To a legal resident of a municipality without a full-time chief of police:

(1) Except as otherwise provided in this paragraph, the municipal officers of the municipality;

(2) The chief of police of an adjacent municipality if the municipal officers of the municipality designate the chief as the issuing authority and the chief agrees to the designation in accordance with section 2002-B;

(3) The sheriff of the county where the municipality is located if the municipal officers of the municipality designate the sheriff as the issuing authority and the sheriff agrees to the designation in accordance with section 2002-B; or

(4) The Chief of the State Police if the municipal officers of the municipality designate the chief as the issuing authority and the chief agrees to the designation in accordance with section 2002-A;

B. To a resident of an unorganized territory:

(1) The Chief of the State Police;

C. To a nonresident:

(1) The Chief of the State Police; and

D. To a professional investigator licensed under Title 32, chapter 89:

(1) The Chief of the State Police.

Sec. 2. 25 MRSA §2002, sub-§10-B is enacted to read:

10-B. Municipal officers. "Municipal officers" means the mayor, municipal officers or councilors of a city; the municipal officers or councilors of a town; or the assessors of a plantation.

Sec. 3. 25 MRSA §2002-B is enacted to read:

§2002-B. Assignment of authority; chief of police of adjacent municipality or county sheriff

The municipal officers of a municipality may designate the chief of police of an adjacent municipality or the sheriff of the county in which the municipality is located as the issuing authority for that municipality if the chief or sheriff agrees to the designation. The designation must be made by written agreement with the chief or sheriff. The agreement must include provisions for termination of the agreement. During the term of an agreement, the chief or sheriff shall perform all the functions of the issuing authority, including suspension and revocation of permits. The chief or sheriff is entitled to receive any fees authorized for performing the functions of an issuing authority. The chief or sheriff continues to serve as the issuing authority until the chief or sheriff receives from the municipal officers written notice of cancellation or revocation of the designation.

Sec. 4. State Police; stakeholder group; report. The Department of Public Safety, Bureau of State Police shall convene a stakeholder group to review the laws of this State regulating the issuance of permits to carry a concealed handgun and develop findings and recommendations for changes to those laws to improve the existing permitting process or to address other identified issues with the process. The stakeholder group must include, at a minimum, a representative of a statewide association of county sheriffs and a representative of a statewide association representing the interests of municipalities. On or before February 15, 2023, the Bureau of State Police shall submit to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters a report outlining the findings and recommendations of the stakeholder group, including any proposed legislation. After reviewing the report, the joint standing committee may report out related legislation to the 131st Legislature in 2023.