



# HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002  
(207) 287-1400  
TTY: MAINE RELAY 711

## Dan Sayre

75 Summer Street  
Kennebunk, ME 04043  
Phone: (207) 613-6776  
[Daniel.Sayre@legislature.maine.gov](mailto:Daniel.Sayre@legislature.maine.gov)

April 16, 2025

*Testimony of Representative Dan Sayre introducing*  
**LD 1120, An Act to Promote the Secure Storage of Firearms**  
*Before the Joint Standing Committee on Judiciary*

Senator Carney, Representative Kuhn, and distinguished members of the Joint Standing Committee on Judiciary, my name is Dan Sayre, and I represent House District 135, which includes part of Kennebunk. Thank you for the opportunity to present **LD 1120, An Act to Promote the Secure Storage of Firearms**.

Let me start with what this bill does not do. As we all know, the Constitution of the United States protects the right to bear arms. This bill does nothing to infringe on that right. It focuses only on an owner's responsibility to securely store their firearms when they are **not** bearing them.

Here's what this bill does: It creates a stronger incentive for gun owners to take responsible care of their firearms when they are not in use. It requires gun owners to store firearms in a locked container or equipped with a safety device whenever a child or prohibited person is likely to gain access to them.

Secure storage is already the law in Maine. This bill increases the incentive for owners of firearms to obey that law by expanding the consequences for failing to do so. Current Maine law makes it a Class D crime to negligently store a loaded firearm in a manner that allows a child under 16 years of age to gain access to the loaded firearm without the permission of the child's parent. This bill repeals and replaces that provision with stronger and broader penalties, making it a Class D crime if a minor or prohibited person gains access to the firearm and either uses it in the commission of a crime or displays it in a threatening manner. It also makes it a Class C crime if a minor or prohibited person gains access to the firearm and uses it to cause the death of or serious bodily injury to any person.

In both cases, the gun owner's liability hinges on whether that person knows or has reason to know that a minor or prohibited person is likely to gain access to the firearm.

The bill also requires licensed dealers to post a warning detailing the secure storage requirement and the hazards of leaving firearms unsecured:

"WARNING: Access to a firearm in the home significantly increases the risk of suicide; death during domestic violence disputes; and the unintentional death of children,

household members and others. If you or a loved one is experiencing distress or depression, call [number].

Failure to securely store firearms may result in criminal prosecution. It is important that the owner of a firearm seek firearm safety instructions from a certified firearms instructor and keep firearms secured from unauthorized use."

The bill provides affirmative defenses for gun owners, protecting them from liability if their loaded firearm is: (1) Stored in a locked box, locked gun safe or other secure, locked space; (2) Stored or left in a location that a reasonable person would believe to be secure; or (3) Secured with a trigger lock or similar device that prevents the firearm from discharging.

Gun owners are also shielded from liability if the firearm is obtained by the child or prohibited person as a result of illegal entry, if the firearm is used in a lawful act or self-defense, or if the firearm is on or in close proximity to the owner's person.

Secure storage prevents crime, bodily harm, and death. Gun theft is common in Maine. The Federal Bureau of Alcohol, Tobacco and Firearms (ATF) traced nearly 1400 stolen firearms to Maine sources in 2022, the last year for which data is available. Many of these firearms are used in the commission of crimes. We all know of tragedies that occurred in Maine that began with a child or prohibited person obtaining access to a firearm that was left unsecured. This bill simply attempts to create additional incentives for all owners of firearms to do what responsible owners are doing already.

I thank you for your consideration and will endeavor to answer any questions you wish to ask.