

§11209. Discharge of firearm, crossbow or bow and arrow near dwelling or building

1. Prohibition. A person may not:

A. Unless a relevant municipal ordinance provides otherwise and except as provided in subsections 3 and 4 and sections 12401 and 12402, discharge a firearm, including a muzzle-loading firearm, or crossbow or cause a projectile to pass as a result of that discharge 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; [PL 2021, c. 74, §2 (AMD).]

A-1. Except as provided in sections 12401 and 12402:

(1) Discharge an arrow from a bow and arrow when on land of another person and within 100 yards of a building or residential dwelling on that land without the permission of the owner of that building or residential dwelling or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or

(2) Cause an arrow from a bow and arrow to pass across the land of another person and within 100 yards of a building or residential dwelling on that land without the permission of the owner of that building or residential dwelling or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or [PL 2021, c. 74, §2 (NEW).]

B. Possess a wild animal or wild bird taken in violation of this subsection, except as otherwise provided in this Part. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

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 section, "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 section, "projectile" means a bullet, pellet, shot, shell, ball, bolt or other object propelled or launched from a firearm or crossbow. [PL 2021, c. 74, §2 (AMD).]

2. Penalty. A person who violates subsection 1 commits a Class E crime. [PL 2003, c. 655, Pt. B, §140 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

3. Target practice; crossbow. Unless otherwise prohibited, a landowner or the landowner's invitee may discharge a crossbow for recreational target practice purposes on the landowner's property within 100 yards of a building or residential dwelling without the permission of the owner of that building or dwelling. Nothing in this subsection authorizes a landowner or the landowner's invitee to cause a projectile discharged from a crossbow to enter property owned by another person. [PL 2015, c. 71, §1 (NEW).]

4. Sport shooting ranges. Unless otherwise prohibited, a person may discharge a firearm on a sport shooting range as defined in Title 30-A, section 3011, subsection 1 that is within 100 yards of a building if the sport shooting range was established and in regular operation prior to the erection of the building. [PL 2019, c. 14, §2 (NEW).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 527, §1 (AMD). PL 2003, c. 527, §2 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B140 (AMD). PL 2003, c. 655, §§B422,C1,6 (AFF). PL 2005, c. 477, §8 (AMD). PL 2009, c. 340, §14 (AMD). RR

2013, c. 1, §26 (COR). PL 2013, c. 215, §1 (AMD). PL 2013, c. 538, §26 (AMD). PL 2015, c. 71, §1 (AMD). PL 2019, c. 14, §§1, 2 (AMD). PL 2021, c. 74, §§1, 2 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 130th Maine Legislature and is current through October 1, 2022. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
