

§11209. Discharge of firearm or archery equipment near dwelling or building**1. Prohibition.** A person may not:

A. Unless a relevant municipal ordinance provides otherwise and except as provided in subsection 4 and sections 12401 and 12402, discharge a firearm, including a muzzle-loading firearm, 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 2023, c. 239, §21 (AMD).]

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

(1) Discharge an arrow or a bolt from archery equipment 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 or a bolt from archery equipment 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 2023, c. 239, §21 (AMD).]

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 or other object propelled or launched from a firearm.

[PL 2023, c. 239, §21 (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.

[PL 2023, c. 239, §21 (RP).]

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). PL 2023, c. 239, §21 (AMD).

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