

§1059. Unauthorized possession of a firearm in a correctional facility or jail

1. A person is guilty of unauthorized possession of a firearm in a correctional facility or jail if that person in fact possesses a firearm in a correctional facility or jail or on the premises of the correctional facility or jail.

[PL 2021, c. 266, §1 (NEW).]

2. This section does not apply to:

A. A law enforcement officer, a corrections officer or a corrections supervisor engaged in the performance of the law enforcement officer's, corrections officer's or corrections supervisor's public duty; [PL 2021, c. 266, §1 (NEW).]

B. An employee of a courier or security service in the course and scope of employment for the courier or security service, as approved by the chief administrative officer of the correctional facility or the jail administrator; or [PL 2021, c. 266, §1 (NEW).]

C. A person who has stored a firearm out of sight in a locked motor vehicle that is on the premises of a correctional facility or jail. [PL 2021, c. 266, §1 (NEW).]

[PL 2021, c. 266, §1 (NEW).]

3. It is not a defense to a prosecution under this section that the person holds a valid permit to carry a concealed handgun issued under Title 25, chapter 252.

[PL 2021, c. 266, §1 (NEW).]

4. Unauthorized possession of a firearm in a correctional facility or jail is a Class D crime.

[PL 2021, c. 266, §1 (NEW).]

5. For the purposes of this section, "chief administrative officer" and "correctional facility" have the same meanings as in Title 34-A, section 1001, subsections 1 and 6, respectively, and "jail" means a county or regional jail.

[PL 2021, c. 266, §1 (NEW).]

SECTION HISTORY

PL 2021, c. 266, §1 (NEW).

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.