



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 188

H.P. 149

House of Representatives, February 5, 2013

An Act To Criminalize Possession of a Suspended or Revoked Concealed Handgun Permit

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MARKS of Pittston.
Cosponsored by Representatives: PEASE of Morrill, PLANTE of Berwick.

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

2 **Sec. 1. 25 MRSA §2004, sub-§5** is enacted to read:

3 **5. Possessing a suspended or revoked permit.** A person who intentionally or
4 knowingly possesses a suspended or revoked permit to carry concealed handguns
5 commits a Class E crime.

6 **Sec. 2. 25 MRSA §2005, sub-§1**, as amended by PL 2009, c. 447, §25, is further
7 amended to read:

8 **1. Revocation.** The issuing authority shall revoke a permit on the basis of one or
9 more of the following determinations:

10 A. The application or any documents made part of the application contained a
11 material misstatement;

12 B. The permit holder has been convicted of a violation of section 2001-A;

13 C. The permit holder becomes ineligible to possess a permit under this chapter.
14 Ineligibility is determined on the basis of the criteria contained in section 2003;

15 D. For conduct that occurred after a permit was issued, that the permit holder was
16 convicted of operating a motor vehicle, snowmobile, ATV or watercraft while under
17 the influence of intoxicating liquor or drugs or with an excessive alcohol level and,
18 by a preponderance of the evidence, that at the time of the offense the permit holder
19 was in possession of a loaded firearm; or

20 E. For conduct that occurred after a permit was issued, that the permit holder was
21 convicted of any violation of Title 17-A, chapter 45.

22 A permit revoked pursuant to this subsection must be immediately surrendered to the
23 issuing authority.

24 **SUMMARY**

25 This bill requires the holder of a revoked concealed handgun permit to immediately
26 surrender that license to the issuing authority. It also prohibits a person from possessing a
27 suspended or revoked concealed handgun permit and makes a violation a Class E crime.