



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1439

H.P. 1070

House of Representatives, April 11, 2011

An Act Regarding Permits To Carry Concealed Firearms

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative HANLEY of Gardiner.

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

2 **Sec. 1. 12 MRSA §11403, sub-§2, ¶B**, as amended by PL 2007, c. 163, §2 and
3 affected by §3, is further amended to read:

4 B. A person may not carry firearms of any kind while hunting any species of wildlife
5 with bow and arrow during the regular archery-only season on deer, except that a
6 person who holds a license that allows hunting with firearms may carry a handgun.
7 This paragraph may not be construed to prohibit a person who holds a valid permit to
8 carry a concealed ~~firearm~~ handgun pursuant to Title 25, section 2003 from carrying a
9 ~~firearm~~ handgun.

10 **Sec. 2. 17-A MRSA §1057, sub-§3**, as enacted by PL 1989, c. 917, §2, is
11 amended to read:

12 3. It is not a defense to a prosecution under subsection 1 that the person holds a
13 permit to carry a concealed ~~firearm~~ handgun issued under Title 25, chapter 252.

14 **Sec. 3. 17-A MRSA §1057, sub-§5**, as amended by PL 2009, c. 447, §20, is
15 further amended to read:

16 5. For purposes of this section, "under the influence of intoxicating liquor or drugs
17 or a combination of liquor and drugs or with an excessive alcohol level" has the same
18 meaning as "under the influence of intoxicants" as defined in Title 29-A, section 2401,
19 subsection 13. "Excessive alcohol level" means an alcohol level of 0.08 grams or more of
20 alcohol per 100 milliliters of blood or 210 liters of breath. Standards, tests and
21 procedures applicable in determining whether a person is under the influence or has an
22 excessive alcohol level within the meaning of this section are those applicable pursuant to
23 Title 29-A, sections 2411 and 2431; except that the suspension of a permit to carry
24 concealed ~~firearms~~ handguns issued pursuant to Title 25, chapter 252, or of the authority
25 of a private investigator licensed to carry a concealed ~~firearm~~ handgun pursuant to Title
26 32, chapter 89, is as provided in those chapters.

27 **Sec. 4. 25 MRSA §2001-A, sub-§2, ¶A**, as enacted by PL 2003, c. 452, Pt. N, §2
28 and affected by Pt. X, §2, is amended to read:

29 A. ~~Firearms~~ Handguns carried by a person to whom a valid permit to carry a
30 concealed ~~firearm~~ handgun has been issued as provided in this chapter;

31 **Sec. 5. 25 MRSA §2001-A, sub-§2, ¶F**, as amended by PL 2007, c. 555, §1, is
32 further amended to read:

33 F. A ~~firearm~~ handgun carried by a person to whom a valid permit to carry a
34 concealed ~~firearm~~ handgun has been issued by another state if a permit to carry a
35 concealed ~~firearm~~ handgun issued from that state has been granted reciprocity. The
36 Chief of the State Police may enter into reciprocity agreements with any other states
37 that meet the requirements of this paragraph. Reciprocity may be granted to a permit
38 to carry a concealed ~~firearm~~ handgun issued from another state if:

1 (1) The other state that issued the permit to carry a concealed ~~firearm~~ handgun
2 has substantially equivalent or stricter requirements for the issuance of a permit
3 to carry a concealed ~~firearm~~ handgun; and

4 (2) The other state that issued the permit to carry a concealed ~~firearm~~ handgun
5 observes the same rules of reciprocity regarding a person issued a permit to carry
6 a concealed ~~firearm~~ handgun under this chapter.

7 **Sec. 6. 25 MRSA §2002, sub-§8-A** is enacted to read:

8 **8-A. Handgun.** "Handgun" means a type of firearm commonly referred to as a
9 pistol or revolver originally designed to be fired by the use of a single hand and that is
10 designed to fire or is capable of firing fixed cartridge ammunition. "Handgun" does not
11 include a shotgun or rifle that has been altered by having its stock or barrel cut or
12 shortened or an automatic firearm that may be held with a single hand.

13 **Sec. 7. 25 MRSA §2003**, as amended by PL 2007, c. 194, §5, is further amended
14 to read:

15 **§2003. Permits to carry concealed handguns**

16 **1. Criteria for issuing permit.** The issuing authority shall, upon written
17 application, issue a permit to carry concealed ~~firearms~~ handguns to an applicant over
18 whom it has issuing authority and who has demonstrated good moral character and who
19 meets the following requirements:

20 A. Is 18 years of age or older;

21 B. Is not disqualified to possess a firearm pursuant to Title 15, section 393, is not
22 disqualified as a permit holder under that same section and is not disqualified to
23 possess a firearm based on federal law as a result of a criminal conviction;

24 D. Submits an application that contains the following:

25 (1) Full name;

26 (2) Full current address and addresses for the prior 5 years;

27 (3) The date and place of birth, height, weight, color of eyes, color of hair, sex
28 and race;

29 (4) A record of previous issuances of, refusals to issue and revocations of a
30 permit to carry concealed firearms, handguns or other concealed weapons by any
31 issuing authority in the State or any other jurisdiction. The record of previous
32 refusals alone does not constitute cause for refusal and the record of previous
33 revocations alone constitutes cause for refusal only as provided in section 2005;
34 and

35 (5) Answers to the following questions:

36 (a) Are you less than 18 years of age?

- 1 (b) Is there a formal charging instrument now pending against you in this
2 State for a crime under the laws of this State that is punishable by
3 imprisonment for a term of one year or more?
- 4 (c) Is there a formal charging instrument now pending against you in any
5 federal court for a crime under the laws of the United States that is
6 punishable by imprisonment for a term exceeding one year?
- 7 (d) Is there a formal charging instrument now pending against you in another
8 state for a crime that, under the laws of that state, is punishable by a term of
9 imprisonment exceeding one year?
- 10 (e) If your answer to the question in division (d) is "yes," is that charged
11 crime classified under the laws of that state as a misdemeanor punishable by
12 a term of imprisonment of 2 years or less?
- 13 (f) Is there a formal charging instrument pending against you in another state
14 for a crime punishable in that state by a term of imprisonment of 2 years or
15 less and classified by that state as a misdemeanor, but that is substantially
16 similar to a crime that under the laws of this State is punishable by
17 imprisonment for a term of one year or more?
- 18 (g) Is there a formal charging instrument now pending against you under the
19 laws of the United States, this State or any other state or the Passamaquoddy
20 Tribe or Penobscot Nation in a proceeding in which the prosecuting authority
21 has pleaded that you committed the crime with the use of a firearm against a
22 person or with the use of a dangerous weapon as defined in Title 17-A,
23 section 2, subsection 9, paragraph A?
- 24 (h) Is there a formal charging instrument now pending against you in this or
25 any other jurisdiction for a juvenile offense that, if committed by an adult,
26 would be a crime described in division (b), (c), (d) or (f) and involves bodily
27 injury or threatened bodily injury against another person?
- 28 (i) Is there a formal charging instrument now pending against you in this or
29 any other jurisdiction for a juvenile offense that, if committed by an adult,
30 would be a crime described in division (g)?
- 31 (j) Is there a formal charging instrument now pending against you in this or
32 any other jurisdiction for a juvenile offense that, if committed by an adult,
33 would be a crime described in division (b), (c), (d) or (f), but does not
34 involve bodily injury or threatened bodily injury against another person?
- 35 (k) Have you ever been convicted of committing or found not criminally
36 responsible by reason of mental disease or defect of committing a crime
37 described in division (b), (c), (f) or (g)?
- 38 (l) Have you ever been convicted of committing or found not criminally
39 responsible by reason of mental disease or defect of committing a crime
40 described in division (d)?

- 1 (m) If your answer to the question in division (l) is "yes," was that crime
2 classified under the laws of that state as a misdemeanor punishable by a term
3 of imprisonment of 2 years or less?
- 4 (n) Have you ever been adjudicated as having committed a juvenile offense
5 described in division (h) or (i)?
- 6 (o) Have you ever been adjudicated as having committed a juvenile offense
7 described in division (j)?
- 8 (p) Are you currently subject to an order of a Maine court or an order of a
9 court of the United States or another state, territory, commonwealth or tribe
10 that restrains you from harassing, stalking or threatening your intimate
11 partner, as defined in 18 United States Code, Section 921(a), or a child of
12 your intimate partner, or from engaging in other conduct that would place
13 your intimate partner in reasonable fear of bodily injury to that intimate
14 partner or the child?
- 15 (q) Are you a fugitive from justice?
- 16 (r) Are you a drug abuser, drug addict or drug dependent person?
- 17 (s) Do you have a mental disorder that causes you to be potentially
18 dangerous to yourself or others?
- 19 (t) Have you been adjudicated to be an incapacitated person pursuant to Title
20 18-A, Article 5, Parts 3 and 4 and not had that designation removed by an
21 order under Title 18-A, section 5-307, subsection (b)?
- 22 (u) Have you been dishonorably discharged from the military forces within
23 the past 5 years?
- 24 (v) Are you an illegal alien?
- 25 (w) Have you been convicted in a Maine court of a violation of Title 17-A,
26 section 1057 within the past 5 years?
- 27 (x) Have you been adjudicated in a Maine court within the past 5 years as
28 having committed a juvenile offense involving conduct that, if committed by
29 an adult, would be a violation of Title 17-A, section 1057?
- 30 (y) To your knowledge, have you been the subject of an investigation by any
31 law enforcement agency within the past 5 years regarding the alleged abuse
32 by you of family or household members?
- 33 (z) Have you been convicted in any jurisdiction within the past 5 years of 3
34 or more crimes punishable by a term of imprisonment of less than one year or
35 of crimes classified under the laws of a state as a misdemeanor and
36 punishable by a term of imprisonment of 2 years or less?
- 37 (aa) Have you been adjudicated in any jurisdiction within the past 5 years to
38 have committed 3 or more juvenile offenses described in division (o)?

- 1 (bb) To your knowledge, have you engaged within the past 5 years in
2 reckless or negligent conduct that has been the subject of an investigation by
3 a governmental entity?
- 4 (cc) Have you been convicted in a Maine court within the past 5 years of any
5 Title 17-A, chapter 45 drug crime?
- 6 (dd) Have you been adjudicated in a Maine court within the past 5 years as
7 having committed a juvenile offense involving conduct that, if committed by
8 an adult, would have been a violation of Title 17-A, chapter 45?
- 9 (ee) Have you been adjudged in a Maine court to have committed the civil
10 violation of possession of a useable amount of marijuana, butyl nitrite or
11 isobutyl nitrite in violation of Title 22, section 2383 within the past 5 years?
- 12 (ff) Have you been adjudicated in a Maine court within the past 5 years as
13 having committed the juvenile crime defined in Title 15, section 3103,
14 subsection 1, paragraph B of possession of a useable amount of marijuana, as
15 provided in Title 22, section 2383?; and

16 E. Does the following:

- 17 (1) At the request of the issuing authority, takes whatever action is required by
18 law to allow the issuing authority to obtain from the Department of Health and
19 Human Services, limited to records of patient committals to Riverview
20 Psychiatric Center and Dorothea Dix Psychiatric Center, the courts, law
21 enforcement agencies and the military information relevant to the following:
- 22 (a) The ascertainment of whether the information supplied on the application
23 or any documents made a part of the application is true and correct;
- 24 (b) The ascertainment of whether each of the additional requirements of this
25 section has been met; and
- 26 (c) Section 2005;
- 27 (2) If a photograph is an integral part of the permit to carry concealed ~~firearms~~
28 handguns adopted by an issuing authority, submits to being photographed for that
29 purpose;
- 30 (3) If it becomes necessary to resolve any questions as to identity, submits to
31 having fingerprints taken by the issuing authority;
- 32 (4) Submits an application fee along with the written application to the proper
33 issuing authority pursuant to the following schedule:
- 34 (a) Resident of a municipality or unorganized territory, \$35 for an original
35 application and \$20 for a renewal, except that a person who paid \$60 for a
36 concealed firearms permit or renewal during 1991 or 1992 is entitled to a
37 credit toward renewal fees in an amount equal to \$30 for a person who paid
38 \$60 for an original application and \$45 for a person who paid \$60 for a
39 permit renewal. The credit is valid until fully utilized; and
- 40 (b) Nonresident, \$60 for an original or renewal application, ~~except that a~~
41 ~~person who paid \$80 for a concealed firearms permit during 1991 or 1992 is~~

1 entitled to a \$20 credit toward permit renewal fees. The credit is valid until
2 fully utilized; and

3 (5) Demonstrates to the issuing authority a knowledge of handgun safety. The
4 applicant may fully satisfy this requirement by submitting to the issuing
5 authority, through documentation in accordance with this subparagraph, proof
6 that the applicant has within 5 years prior to the date of application completed a
7 course that included handgun safety offered by or under the supervision of a
8 federal, state, county or municipal law enforcement agency or a firearms
9 instructor certified by a private firearms association recognized as knowledgeable
10 in matters of ~~firearms~~ handgun safety by the issuing authority or by the state in
11 which the course was taken. A course completion certificate or other document,
12 or a photocopy, is sufficient if it recites or otherwise demonstrates that the course
13 meets all of the requirements of this subparagraph.

14 As an alternative way of fully satisfying this requirement, an applicant may
15 personally demonstrate knowledge of handgun safety to an issuing authority, if
16 the issuing authority is willing to evaluate an applicant's personal demonstration
17 of such knowledge. The issuing authority is not required to offer this 2nd option.

18 The demonstration of knowledge of handgun safety to the issuing authority may
19 not be required of any applicant who holds a valid ~~State~~ state permit to carry a
20 concealed firearm as of April 15, 1990 or of any applicant who was or is in any
21 of the Armed Forces of the United States and has received at least basic firearms
22 training.

23 **2. Complete application; certification by applicant.** The requirements set out in
24 subsection 1, constitute a complete application. By affixing the applicant's signature to
25 the application, the applicant certifies the following:

26 A. That the statements the applicant makes in the application and any documents the
27 applicant makes a part of the application are true and correct;

28 A-1. That the applicant understands that an affirmative answer to the question in
29 subsection 1, paragraph D, subparagraph (5), division (l) or (o) is cause for refusal
30 unless the applicant is nonetheless authorized to possess a firearm under Title 15,
31 section 393;

32 A-2. That the applicant understands that an affirmative answer to subsection 1,
33 paragraph D, subparagraph (5), division (p) is cause for refusal if the order of the
34 court meets the preconditions contained in Title 15, section 393, subsection 1,
35 paragraph D. If the order of the court does not meet the preconditions, the conduct
36 underlying the order may be used by the issuing authority, along with other
37 information, in judging good moral character under subsection 4;

38 B. That the applicant understands that an affirmative answer to one or more of the
39 questions in subsection 1, paragraph D, subparagraph (5), divisions (a), (k), (n) or (q)
40 to (x) is cause for refusal;

41 B-1. That the applicant understands that an affirmative answer to one or more of the
42 questions in subsection 1, paragraph D, subparagraph (5), divisions (b) to (j), (m), (y),

1 (z) or (aa) to (ff) is used by the issuing authority, along with other information, in
2 judging good moral character under subsection 4; and

3 C. That the applicant understands any false statements made in the application or in
4 any document made a part of the application may result in prosecution as provided in
5 section 2004.

6 **3. Copy of laws furnished to applicant.** A copy of this chapter and the definitions
7 from other chapters ~~which~~ that are used in this chapter ~~shall~~ must be provided to every
8 applicant.

9 **3-A. Model forms.** The Attorney General shall develop model forms for the
10 following:

- 11 A. An application for a resident permit to carry concealed ~~firearms~~ handguns;
- 12 B. An application for a nonresident permit to carry concealed ~~firearms~~ handguns;
- 13 C. A resident permit to carry concealed ~~firearms~~ handguns of which a photograph is
14 an integral part;
- 15 D. A resident permit to carry concealed ~~firearms~~ handguns of which a photograph is
16 not an integral part;
- 17 E. A nonresident permit to carry concealed ~~firearms~~ handguns; and
- 18 F. Authority to release information to the issuing authority for the purpose of
19 evaluating information supplied on the application.

20 Each issuing authority shall utilize only the model forms.

21 **4. Good moral character.** The issuing authority in judging good moral character
22 shall make its determination in writing based solely upon information recorded by
23 governmental entities within 5 years of receipt of the application, including, but not
24 limited to, the following matters:

- 25 A. Information of record relative to incidents of abuse by the applicant of family or
26 household members, provided pursuant to Title 19-A, section 4012, subsection 1;
- 27 B. Information of record relative to 3 or more convictions of the applicant for crimes
28 punishable by less than one year imprisonment or one or more adjudications of the
29 applicant for juvenile offenses involving conduct that, if committed by an adult, is
30 punishable by less than one year imprisonment;
- 31 C. Information of record indicating that the applicant has engaged in reckless or
32 negligent conduct; or
- 33 D. Information of record indicating that the applicant has been convicted of or
34 adjudicated as having committed a violation of Title 17-A, chapter 45 or Title 22,
35 section 2383, or adjudicated as having committed a juvenile crime that is a violation
36 of Title 22, section 2383 or a juvenile crime that would be defined as a criminal
37 violation under Title 17-A, chapter 45 if committed by an adult.

38 **5. Access to confidential records.** Notwithstanding that certain records retained by
39 governmental entities are by law made confidential, the records pertaining to patient

1 committals to Riverview Psychiatric Center and Dorothea Dix Psychiatric Center, and
2 records compiled pursuant to Title 19-A, section 4012, subsection 1, that are necessary to
3 the issuing authority's determination of the applicant's good moral character and
4 compliance with the additional requirements of this section and of section 2005 must, at
5 the request of the issuing authority, be made available for inspection by and
6 dissemination to the issuing authority.

7 **8. Term of permit.** All concealed ~~firearm~~ handgun permits are valid for 4 years
8 from the date of issue, unless sooner revoked for cause by the issuing authority. If a
9 permit renewal is issued before the expiration date of the permit being renewed or within
10 6 months of the expiration date of the permit being renewed, the permit renewal is valid
11 for 4 years from the expiration date of the permit being renewed.

12 **9. Information contained in permit.** Each permit to carry concealed ~~firearms~~
13 handguns issued ~~shall~~ must contain the following: The name, address and physical
14 description of the permit holder; the holder's signature; the date of issuance; and the date
15 of expiration. A permit to carry concealed ~~firearms~~ handguns may additionally contain a
16 photograph of the permit holder if the issuing authority makes a photograph an integral
17 part of the permit to carry concealed ~~firearms~~ handguns.

18 **10. Validity of permit throughout the State.** Permits issued authorize the person
19 to carry those concealed ~~firearms~~ handguns throughout the State.

20 **11. Permit to be in permit holder's immediate possession.** Every permit holder
21 shall have ~~his~~ the holder's permit in ~~his~~ the holder's immediate possession at all times
22 when carrying a concealed ~~firearm~~ handgun and shall display the same on demand of any
23 law enforcement officer. ~~No~~ A person charged with violating this subsection may not be
24 adjudicated as having committed a civil violation if ~~he~~ that person produces in court the
25 concealed ~~firearms~~ handgun permit ~~which~~ that was valid at the time of the issuance of a
26 summons to court or, if ~~he~~ the holder exhibits the permit to a law enforcement officer
27 designated by the summoning officer not later than 24 hours before the time set for the
28 court appearance, ~~no~~ a complaint may not be issued.

29 **12. Permit for a resident of 5 or more years to be issued or denied within 60**
30 **days; permit for a nonresident and resident of less than 5 years to be issued or**
31 **denied within 120 days.** The issuing authority, as defined in this chapter, shall issue or
32 deny, and reply in writing as to the reason for any denial, within ~~30~~ 60 days of the
33 application date in the case of a resident of 5 or more years and within ~~60~~ 120 days of the
34 application date in the case of a nonresident or in the case of a resident of less than 5
35 years. If the issuing authority does not issue or deny a request for a permit renewal
36 within the time limits specified in this subsection, the validity of the expired permit is
37 extended until the issuing authority issues or denies the renewal.

38 **13. Fee waiver.** An issuing authority may waive the permit fee for a permit issued
39 to a law enforcement officer certified by the Maine Criminal Justice Academy.

40 **14. Lapsed permit.** A person may apply for renewal of a permit at the permit
41 renewal rate at any time within 6 months after expiration of a permit. A person who

1 applies for a permit more than 6 months after the expiration date of the permit last issued
2 to that person must submit an original application and pay the original application fee.

3 **15. Duty of issuing authority; application fees.** The application fees submitted by
4 the applicant as required by subsection 1, paragraph E, subparagraph (4) are subject to the
5 following.

6 A. If the issuing authority is other than the Chief of the State Police, \$25 of the fee
7 for an original application and \$15 of the fee for a renewal must be paid over to the
8 Treasurer of State.

9 B. If the Chief of the State Police is the issuing authority as the designee of a
10 municipality under section 2002-A, \$25 of the fee for an original application and \$15
11 of the fee for a renewal must be paid over to the Treasurer of State.

12 C. If the Chief of the State Police is the issuing authority because the applicant is
13 either a resident of an unorganized territory or a nonresident, the application fee must
14 be paid over to the Treasurer of State. The fee must be applied to the expenses of
15 administration incurred by the State Police.

16 **16. Application fee; use.** The application fee submitted by the applicant as required
17 by subsection 1, paragraph E, subparagraph (4) covers the cost of processing the
18 application by the issuing authority and the cost of the permit to carry concealed ~~firearms~~
19 handguns issued by the issuing authority.

20 **17. Waiver of law enforcement agency record and background check fees.**
21 Notwithstanding any other provision of law, a law enforcement agency may not charge an
22 issuing authority a fee in association with the law enforcement agency's conducting a
23 concealed handgun permit applicant record check or background check for the issuing
24 authority.

25 **Sec. 8. 25 MRSA §2004, sub-§1,** as enacted by PL 2003, c. 452, Pt. N, §3 and
26 affected by Pt. X, §2, is amended to read:

27 **1. False statements.** A person who intentionally or knowingly makes a false
28 statement in the written application for a permit to carry a concealed ~~firearm~~ handgun or
29 any documents made a part of the application commits a Class D crime.

30 **Sec. 9. 25 MRSA §2005, sub-§2, ¶A,** as enacted by PL 1985, c. 478, §2, is
31 amended to read:

32 A. If the permit holder changes ~~his~~ the permit holder's legal residence from one
33 municipality to another during the term of the permit, the permit remains valid if ~~he~~
34 the permit holder provides ~~his~~ the permit holder's new address to the issuing authority
35 of ~~his~~ the permit holder's new residence within 30 days of making that change. The
36 issuing authority of the new residence shall immediately reissue the permit with the
37 corrected address for a fee of not more than \$2.

38 **Sec. 10. 25 MRSA §2005-A, sub-§1,** as enacted by PL 1989, c. 917, §16, is
39 amended to read:

1 **1. Immediate suspension.** If the permit holder is required by law to submit to
2 chemical testing for the presence of intoxicating liquor or drugs pursuant to Title 17-A,
3 section 1057 or for conduct that occurs while the permit holder is in possession of a
4 loaded firearm, and the permit holder refuses to submit to the required testing, the permit
5 to carry a concealed ~~firearm~~ handgun issued to that person is immediately suspended and
6 must be surrendered at that time by the permit holder to the law enforcement officer.

7 **Sec. 11. 25 MRSA §2006**, as enacted by PL 1985, c. 478, §2 and corrected by RR
8 1999, c. 2, §28, is amended to read:

9 **§2006. Confidentiality of application**

10 Notwithstanding Title 1, sections 401 to 410, all applications for a permit to carry
11 concealed ~~firearms~~ handguns and documents made a part of the application, refusals and
12 any information of record collected by the issuing agency during the process of
13 ascertaining whether an applicant is of good moral character and meets the additional
14 requirements of sections 2003 and 2005, are confidential and may not be made available
15 for public inspection or copying. The applicant may waive this confidentiality by written
16 notice to the issuing authority. All proceedings relating to the issuance, refusal or
17 revocation of a permit to carry concealed ~~firearms~~ handguns are not public proceedings
18 under Title 1, chapter 13, unless otherwise requested by the applicant.

19 The issuing authority shall make a permanent record of each permit to carry
20 concealed ~~firearms~~ handguns in a suitable book or file kept for that purpose. The record
21 ~~shall~~ must include the information contained in the permit itself and ~~shall~~ must be
22 available for public inspection.

23 **Sec. 12. 30-A MRSA §2801, sub-§3-A**, as enacted by PL 1987, c. 737, Pt. A, §2
24 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is
25 further amended to read:

26 **3-A. Names of those issued concealed handgun permits.** The names of persons
27 issued concealed ~~firearms~~ handgun permits under Title 25, chapter 252, may not be
28 printed in the annual report.

29 **Sec. 13. 32 MRSA §8120-A**, as enacted by PL 1997, c. 360, §5, is amended to
30 read:

31 **§8120-A. Handguns**

32 A private investigator licensed under this chapter may carry a ~~firearm~~ handgun while
33 performing the duties of a private investigator only after being issued a concealed
34 ~~weapons~~ handgun permit by the Chief of the State Police under Title 25, chapter 252 and
35 passing the written firearms examination prescribed by the commissioner.

36 **Sec. 14. Maine Revised Statutes headnote amended; revision clause.** In
37 the Maine Revised Statutes, Title 25, chapter 252, in the chapter headnote, the words
38 "permits to carry concealed firearms" are amended to read "permits to carry concealed

1 handguns" and the Revisor of Statutes shall implement this revision when updating,
2 publishing or republishing the statutes.

3

SUMMARY

4 This bill makes the following changes to the laws governing permits to carry
5 concealed firearms.

6 1. It adds a definition of "handgun" to the laws regarding permits to carry concealed
7 firearms.

8 2. It clarifies that concealed firearm permits allow permittees to carry only handguns,
9 such as pistol-type firearms, on the person, not long guns or machine guns.

10 3. It lengthens the amount of time issuing authorities have to process applications for
11 concealed handgun permits.

12 4. It prohibits criminal justice agencies from charging fees to conduct record checks
13 in relation to background checks that are conducted by issuing authorities as part of the
14 process of reviewing a permit application.