

§2249. Enforcement and entering of orders

1. Law enforcement officers and agencies. Law enforcement officers are authorized to enforce orders issued pursuant to this chapter. A law enforcement agency shall adopt a written policy on the enforcement of this chapter and the handling of extreme risk protection orders.

[IB 2025, c. 1, §6 (NEW).]

2. Failure to comply with order. A person who knowingly violates an extreme risk protection order issued pursuant to section 2244 or renewed pursuant to section 2246 or an emergency extreme risk protection order issued pursuant to section 2245 is subject to sanctions for contempt pursuant to the Maine Rules of Civil Procedure, Rule 66 and prosecution pursuant to state law, including, but not limited to, Title 15, section 393.

[IB 2025, c. 1, §6 (NEW).]

3. Notice to State Bureau of Identification; national background check. The court clerk shall forward a copy of an extreme risk protection order or emergency extreme risk protection order issued pursuant to this chapter the same day the order is issued to the Department of Public Safety, Bureau of State Police, State Bureau of Identification. Upon receipt of the copy of the order, the Department of Public Safety, Bureau of State Police, State Bureau of Identification shall enter the order into the Federal Bureau of Investigation, National Instant Criminal Background Check System, any other federal or state computer-based systems used by law enforcement agencies or others to identify prohibited purchasers of dangerous weapons and any computer-based criminal intelligence information system available in the State used by law enforcement agencies. The order must remain in each system for the duration of time it is in effect, and the law enforcement agency shall promptly remove expired or terminated orders.

[IB 2025, c. 1, §6 (NEW).]

4. Penalty for submitting false information. A person who submits materially false information in support of or in opposition to a petition for an extreme risk protection order under this chapter, knowing that material information in the petition or the affidavit is false or that the petition or affidavit is submitted with the intent to harass, is guilty of a Class C crime.

[IB 2025, c. 1, §6 (NEW).]

5. Warrantless arrest. Notwithstanding any provision of law to the contrary, an arrest for criminal violation of an order issued pursuant to this chapter may be without warrant upon probable cause whether or not the violation is committed in the presence of a law enforcement officer. The law enforcement officer may verify, if necessary, the existence of the order, including by telephone or radio communication with a law enforcement agency with knowledge of the order.

[IB 2025, c. 1, §6 (NEW).]

SECTION HISTORY

IB 2025, c. 1, §6 (NEW).

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