An Act To Establish a Statewide Voluntary Firearm Collection Day and Ongoing Program

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

Presented by Representative BROOKS of Lewiston. Cosponsored by Representative: CARDONE of Bangor.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 25 MRSA §2015 is enacted to read:

§2015. Statewide voluntary firearm collection day and ongoing program

The Commissioner of Public Safety, referred to in this section as "the commissioner," in accordance with the provisions of this section shall design, implement and administer an annual statewide voluntary firearm collection day, referred to in this section as the "collection day," and a statewide voluntary firearm collection program, referred to in this section as the "collection program."

1. Implementation date; notice. The collection day required under this section must be the 3rd Saturday of each July, beginning July 18, 2020. The commissioner shall annually ensure that the general public is notified as to date, purpose, collection locations and other parameters of the collection day. The notification required under this subsection may involve, but is not limited to, print, radio, television and Internet advertising; the distribution of written materials; and the offering or facilitation of public events.

2. Purpose. The collection day required under this section must be designed to provide to any person in the State an annual, one-day opportunity to voluntarily turn over firearms or ammunition in the person's possession to a law enforcement officer at a number of sites conveniently located throughout the State. The commissioner shall require the Bureau of State Police to participate in the collection day and shall coordinate with municipal and county law enforcement agencies, as necessary, to ensure the achievement of the purpose of this section, including, but not limited to, providing technical assistance and, as necessary and as resources allow, financial assistance to any municipal or county law enforcement agency that elects to participate in the collection day within its area of jurisdiction.

3. Fees prohibited; incentives. A person may not be charged a fee to turn over a firearm or ammunition to a law enforcement officer during the collection day or through a collection program established pursuant to this section. The commissioner may accept private donations that may be used to provide monetary payment or other incentives to persons turning over firearms or ammunition during the collection day or through a collection program under subsection 5 or 6.

4. Information required; disposition of collected firearms and ammunition. A person who voluntarily turns over a firearm or ammunition to a law enforcement officer during the collection day or through a collection program established pursuant to this section shall provide to the law enforcement officer accepting the firearm or ammunition the person's name, mailing address and telephone number and may not be required by the law enforcement officer to provide any additional information. A law enforcement officer who collects a firearm during the collection day or through a collection program shall check the serial number of the firearm to ensure that the firearm is not stolen, was not used in the commission of a criminal act and is not otherwise sought as evidence in a criminal investigation or prosecution. If, after running such a check, the law enforcement officer does not have reason to believe that the firearm is stolen, was used in the
commission of a criminal act or is otherwise sought as evidence in a criminal investigation or prosecution, the officer shall ensure that the firearm is promptly destroyed. A law enforcement officer who collects ammunition during the collection day or through a collection program shall ensure that the ammunition is promptly destroyed.

5. Establishment of collection program. The commissioner shall ensure that, no later than August 1, 2020, a year-round collection program, administered by the Bureau of State Police, is established that, at a minimum, is designed to provide to any person the opportunity to voluntarily turn over any firearm or ammunition in the person's possession to a state police officer at any facility or function of the Bureau of State Police to which members of the public are regularly allowed admission. The commissioner shall provide notice of the collection program in the same manner as is provided under subsection 1.

6. Local ongoing voluntary firearm collection programs. The commissioner shall provide technical assistance and, as necessary and as resources allow, financial assistance to any municipal or county law enforcement agency that elects to establish an ongoing voluntary firearm collection program within its area of jurisdiction.

7. Report. Beginning January 15, 2021, and annually thereafter, the commissioner shall submit a report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters that includes:

A. The number of firearms and, if available, the amount of ammunition collected by municipal, county and state law enforcement agencies during the prior year's collection day;

B. A list of the municipal, county and state law enforcement agencies that participated in and the collection locations made available during the prior year's collection day;

C. If available, the number of firearms collected during the prior year's collection day that were retained by a law enforcement agency as stolen or due to their use in the commission of a criminal act or as otherwise sought as evidence in a criminal investigation or prosecution;

D. The number of firearms and, if available, the amount of ammunition collected by the Bureau of State Police during the prior calendar year through the collection program required under subsection 5;

E. A list of the ongoing voluntary firearm collection programs established by municipal and county law enforcement agencies pursuant to subsection 6 and, if available, the number of firearms and the amount of ammunition collected through such programs during the prior calendar year; and

F. Any recommendations, including proposed legislation, for changes to the collection day or collection program required under this section.

After reviewing the report required under this subsection, the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters may report out a bill relating to the report.
SUMMARY

This bill directs the Commissioner of Public Safety to design, implement and
administer a statewide voluntary firearm collection day, the purpose of which is to
provide to any person an annual, one-day opportunity to voluntarily turn over any firearm
or ammunition in the person's possession to a law enforcement officer at a number of
sites conveniently located throughout the State.

The commissioner is also required to facilitate the establishment of a year-round
voluntary firearm collection program administered by the Bureau of State Police that, at a
minimum, is designed to provide to any person the opportunity to voluntarily turn over
any firearm or ammunition in the person's possession to a state police officer at any
facility or function of the Bureau of State Police to which members of the public are
regularly allowed admission.

The commissioner is directed to provide technical assistance and, as necessary and as
resources allow, financial assistance to municipal and county law enforcement agencies
that elect to participate in the voluntary firearm collection day or elect to establish an
ongoing local voluntary firearm collection program. A person may not be charged a fee
to turn over a firearm or ammunition to a law enforcement officer during the collection
day or through a collection program and is required only to provide the law enforcement
officer the person's name, mailing address and telephone number. Firearms and
ammunition collected are to be destroyed, except for those firearms determined to have
been stolen or used in the commission of a criminal act or that are otherwise sought as
evidence in a criminal investigation or prosecution.