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Date: (Filing No. H- )

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 255, L.D. 380, Bill, “An Act To Clarify the Law Concerning the Threatening Display of Dangerous Weapons”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 25 MRSA §2001-A, sub-§1**, as enacted by PL 2003, c. 452, Pt. N, §2 and affected by Pt. X, §2, is amended to read:

**1. Display or carrying prohibited.** A person may not, unless excepted by a provision of law:

A. Display in a threatening manner a firearm, slungshot, knuckles, bowie knife, dirk, stiletto or other dangerous or deadly weapon usually employed in the attack on or defense of a person; ~~or~~

B. ~~Wear under the person's clothes or conceal~~ Conceal about the person's person a firearm, slungshot, knuckles, bowie knife, dirk, stiletto or other dangerous or deadly weapon usually employed in the attack on or defense of a person. As used in this paragraph, "conceal" means to carry hidden from the detection and view of another person, either upon or about the person, in a purse or other container belonging to the person or in a vehicle that is operated by the person or in which the person is a passenger; or

C. While in possession of a dangerous or deadly weapon in a public place, refuse to provide that person's name, address and date of birth at the request of a uniformed law enforcement officer or a properly identified law enforcement officer not in uniform, if the totality of circumstances is such as to lead the officer to reasonably believe that the protection of public safety requires such identification.

As used in this subsection, "dangerous or deadly weapon" has the same meaning as "dangerous weapon" in Title 17-A, section 2, subsection 9, paragraph C and "public place" has the same meaning as in Title 17-A, section 501-A, subsection 2, paragraph A.

**COMMITTEE AMENDMENT**

1 Nothing in this subsection may be construed to prohibit a person in this State not  
2 otherwise prohibited by law from carrying a loaded or unloaded firearm openly upon the  
3 person or in a belt or shoulder holster that is wholly or partially visible.'

4 **SUMMARY**

5 This amendment replaces the bill and is the majority report of the committee. The  
6 amendment clarifies that, except as prohibited by law, a person has the right to carry an  
7 unconcealed firearm in this State. The amendment prohibits a person, unless excepted by  
8 law, from refusing to provide that person's name, address and date of birth at the request  
9 of a law enforcement officer if the person possesses a dangerous and deadly weapon in a  
10 public place if the totality of the circumstances is such as to lead the officer to reasonably  
11 believe that the protection of the public requires identification.

12 **FISCAL NOTE REQUIRED**

13 **(See attached)**