



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 600

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H.P. 413

House of Representatives, March 3, 2015

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**An Act To Conform Maine Law Regarding Persons Prohibited from Possessing Firearms with Federal Law**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative PICKETT of Dixfield.  
Cosponsored by Senator BURNS of Washington and  
Representatives: BATTLE of South Portland, HANINGTON of Lincoln, HANLEY of Pittston,  
HERRICK of Paris, McCABE of Skowhegan, PETERSON of Rumford, SKOLFIELD of  
Weld, STEARNS of Guilford.

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

2 **Sec. 1. 15 MRSA §393, sub-§1, ¶D**, as amended by PL 2007, c. 670, §5, is  
3 further amended to read:

4 D. Is subject to an order of a court of the United States or a state, territory,  
5 commonwealth or tribe that restrains that person from harassing, stalking or  
6 threatening an intimate partner, as defined in 18 United States Code, Section 921(a),  
7 of that person or a child of the intimate partner of that person, or from engaging in  
8 other conduct that would place the intimate partner in reasonable fear of bodily injury  
9 to the intimate partner or the child, except that this paragraph applies only to a court  
10 order that was issued after a hearing for which that person received actual notice and  
11 at which that person had the opportunity to participate and that:

12 (1) Includes a finding that the person represents a credible threat to the physical  
13 safety of an intimate partner or a child; or

14 (2) By its terms, explicitly prohibits the use, attempted use or threatened use of  
15 physical force against an intimate partner or a child that would reasonably be  
16 expected to cause bodily injury; ~~or~~

17 **Sec. 2. 15 MRSA §393, sub-§1, ¶E**, as amended by PL 2009, c. 651, §1, is  
18 further amended to read:

19 E. Has been:

20 (1) Committed involuntarily to a hospital pursuant to an order of the District  
21 Court under Title 34-B, section 3864 because the person was found to present a  
22 likelihood of serious harm, as defined under Title 34-B, section 3801, subsection  
23 4-A, paragraphs A to C;

24 (2) Found not criminally responsible by reason of insanity with respect to a  
25 criminal charge; or

26 (3) Found not competent to stand trial with respect to a criminal charge;

27 **Sec. 3. 15 MRSA §393, sub-§1, ¶¶F to K** are enacted to read:

28 F. Is a fugitive from justice. For the purposes of this paragraph, "fugitive from  
29 justice" has the same meaning as in section 201, subsection 4;

30 G. Is an unlawful user of or is addicted to any controlled substance and as a result is  
31 prohibited from possession of a firearm under 18 United States Code, Section  
32 922(g)(3);

33 H. Is an alien who is illegally or unlawfully in the United States or who was admitted  
34 under a nonimmigrant visa and who is prohibited from possession of a firearm under  
35 18 United States Code, Section 922(g)(5);

36 I. Has been discharged from the United States Armed Forces under dishonorable  
37 conditions;

38 J. Has, having been a citizen of the United States, renounced that person's  
39 citizenship; or

