

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 in subsection 9-A in paragraph B in subparagraph (1) in the last line (page 1, line 19 in L.D.) by striking out the following: "district" and inserting in its place the following: 'district school board and for which the school board has adopted appropriate safeguards to ensure student safety'

Amend the bill by striking out all of section 2 and inserting the following:

**Sec. 2. 20-A MRSA §6552, sub-§1**, as amended by PL 2007, c. 67, §1, is further amended to read:

**1. Prohibition.** A person may not possess a firearm on public school property or the property of an approved private school or discharge a firearm within 500 feet of public school property or the property of an approved private school. ~~For purposes of this subsection, public school property includes property of a community college that adopts a policy imposing such a prohibition.~~

**Sec. 3. 20-A MRSA §6552, sub-§2**, as enacted by PL 1981, c. 693, §§ 5 and 8, is repealed and the following enacted in its place:

**2. Exceptions.** The provisions under subsection 1 do not apply to the following.

A. The prohibition on the possession and discharge of a firearm does not apply to law enforcement officials.

B. The prohibition on the possession of a firearm does not apply to the following persons, if the possession is authorized by a written policy adopted by the school board:

(1) A person who possesses an unloaded firearm for use in a supervised educational program approved and authorized by the school board and for which the school board has adopted appropriate safeguards to ensure student safety; and

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(2) A person who possesses an unloaded firearm that is stored inside a locked vehicle in a closed container, a zipped case or a locked firearms rack while the person is attending a hunter's breakfast or similar event that:

(a) Is held during an open firearm season established under Title 12, Part 13 for any species of wild bird or wild animal;

(b) Takes place outside of regular school hours; and

(c) Is authorized by the school board.

## **SUMMARY**

This amendment clarifies the provision in current law that permits a school board to offer instructional activities related to firearms or allow firearms to be brought on school property for instructional purposes by requiring that the school board has adopted appropriate safeguards to ensure student safety.

The amendment makes the following changes to the school safety provisions in current law that prohibit the possession of firearms on school property and the discharge of firearms within 500 feet of school property.

1. It clarifies that the prohibitions on the possession of a firearm and on the discharge of a firearm apply to both public school property and to the school property of approved private schools under the Maine Revised Statutes, Title 20A, chapter 117.

2. It provides an exception to the prohibition on possessing firearms on school property for a person who possesses an unloaded firearm that is stored inside a locked vehicle in a closed container, a zipped case or a locked firearms rack while the person is attending a hunter's breakfast or similar event that is held during a legal open firearm season and when the event is held outside of regular school hours and is authorized by the school board.

3. It eliminates the inclusion of school property of a community college from the prohibitions because the provisions of Title 20A, section 10009 provide the Maine Community College System with the power to regulate the possession of firearms on community college property.

**FISCAL NOTE REQUIRED**  
**(See attached)**