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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 564, L.D. 759, “An Act To Amend the Child Endangerment Laws To Include Certain Unauthorized Access to a Loaded Firearm”

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

'Sec. 2. 17-A MRSA §554, sub-§1, ¶B-4 is enacted to read:

B-4. Acting with criminal negligence stores or leaves on premises that are under the person's control a loaded firearm in a manner that allows a child to gain access to the loaded firearm without the permission of the child's parent, foster parent or guardian and the child in fact gains access to the loaded firearm and:

- (1) Uses the loaded firearm in a reckless or threatening manner;
- (2) Uses the loaded firearm during the commission of a crime; or
- (3) Discharges the loaded firearm.

Violation of this paragraph is a Class D crime; or'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

The bill amends the Maine Criminal Code to provide that under certain circumstances a person is guilty of endangering the welfare of a child if the person stores or leaves a loaded firearm on premises that are under the person's control and a child gains access to the loaded firearm. This amendment amends that provision to specify that storing or leaving a loaded firearm on premises under a person's control with criminal negligence in a manner that allows a child to gain access to that firearm, and the child in fact gains access to the loaded firearm and uses it, is considered endangering the welfare of a child and is a Class D crime.

COMMITTEE AMENDMENT