



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 60

H.P. 35

House of Representatives, January 4, 2023

An Act to Require a 72-hour Waiting Period After the Sale of a Firearm

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

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative CRAVEN of Lewiston.
Cosponsored by Representatives: ARFORD of Brunswick, CRAFTS of Newcastle, DODGE of Belfast, GRAMLICH of Old Orchard Beach, WHITE of Waterville.

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

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

3 **§2015. Waiting period after sale of firearm**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Agreement" means when a buyer and a seller reach an agreement for the purchase
7 and the sale of a firearm.

8 B. "Firearm" has the same meaning as in Title 17-A, section 2, subsection 12-A.

9 C. "Firearm dealer" means a person that is licensed as a dealer under 18 United States
10 Code, Section 923 or that is required to be licensed as a dealer under that section.

11 **2. Waiting period.** A person may not knowingly deliver a firearm pursuant to a sale
12 without withholding delivery of the firearm for at least 72 hours after agreement.

13 **3. Penalty.** This subsection applies to violations of subsection 2.

14 A. A person who violates subsection 2 commits a civil violation for which a fine of
15 not less than \$200 and not more than \$500 may be adjudged.

16 B. A person who violates subsection 2 after having previously been adjudicated as
17 violating subsection 2 commits a civil violation for which a fine of not less than \$500
18 and not more than \$1,000 may be adjudged.

19 **4. Application.** This section does not apply to:

20 A. The sale of a firearm if the seller knows that the person to whom the seller is selling
21 the firearm is:

22 (1) A law enforcement officer; or

23 (2) A person who desires to purchase a firearm for use in promoting the public
24 interest incidentally to the person's employment as a bank guard or armed truck
25 guard or as a similar type of employee; or

26 B. The sale of a firearm to a firearm dealer.

27 A firearm dealer is subject to the requirements of conducting national instant criminal
28 background checks under 18 United States Code, Section 922(t).

29 **SUMMARY**

30 This bill requires a 72-hour waiting period between an agreement for the purchase and
31 sale of a firearm and its delivery to the purchaser and makes violation of the waiting period
32 a civil violation with a \$200 to \$500 fine for the first violation and a \$500 to \$1,000 fine
33 for a subsequent violation.