

§1059. Unauthorized possession of a firearm in a correctional facility or jail

1. A person is guilty of unauthorized possession of a firearm in a correctional facility or jail if that person in fact possesses a firearm in a correctional facility or jail or on the premises of the correctional facility or jail.

[PL 2021, c. 266, §1 (NEW).]

2. This section does not apply to:

A. A law enforcement officer, a corrections officer or a corrections supervisor engaged in the performance of the law enforcement officer's, corrections officer's or corrections supervisor's public duty; [PL 2021, c. 266, §1 (NEW).]

B. An employee of a courier or security service in the course and scope of employment for the courier or security service, as approved by the chief administrative officer of the correctional facility or the jail administrator; or [PL 2021, c. 266, §1 (NEW).]

C. A person who has stored a firearm out of sight in a locked motor vehicle that is on the premises of a correctional facility or jail. [PL 2021, c. 266, §1 (NEW).]

[PL 2021, c. 266, §1 (NEW).]

3. It is not a defense to a prosecution under this section that the person holds a valid permit to carry a concealed handgun issued under Title 25, chapter 252.

[PL 2021, c. 266, §1 (NEW).]

4. Unauthorized possession of a firearm in a correctional facility or jail is a Class D crime.

[PL 2021, c. 266, §1 (NEW).]

5. For the purposes of this section, "chief administrative officer" and "correctional facility" have the same meanings as in Title 34-A, section 1001, subsections 1 and 6, respectively, and "jail" means a county or regional jail.

[PL 2021, c. 266, §1 (NEW).]

SECTION HISTORY

PL 2021, c. 266, §1 (NEW).

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