

CHAPTER 252-B

PARAMILITARY TRAINING

§2021. Unauthorized paramilitary training

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Civil disorder" means any public disturbance involving an act of violence by a group of 2 or more persons that causes an immediate danger of injury to another person or damage to the property of another person or results in injury to another person or damage to the property of another person. [PL 2023, c. 621, §1 (NEW).]

B. "Explosive" has the same meaning as in Title 25, section 2471, subsection 2, except that "explosive" does not include a firearm or ammunition for a firearm or any components of ammunition for a firearm, including, but not limited to, primers, smokeless powder or black powder. [PL 2023, c. 621, §1 (NEW).]

C. "Firearm" has the same meaning as in Title 17-A, section 2, subsection 12-A. [PL 2023, c. 621, §1 (NEW).]

D. "Incendiary device" means a device that may produce, by ignition by fire, friction, concussion, detonation or other similar method, destructive effects primarily through combustion rather than explosion. "Incendiary device" does not include ammunition for a firearm or a manufactured device or article in common use by the general public that is designed to produce combustion for a lawful purpose, such as matches, lighters, flares or devices commercially manufactured primarily for the purpose of illumination, heating or cooking. [PL 2023, c. 621, §1 (NEW).]

[PL 2023, c. 621, §1 (NEW).]

2. Unauthorized paramilitary training prohibited. A person is guilty of unauthorized paramilitary training if that person intentionally or knowingly:

A. Teaches or demonstrates to another person or trains another person in the use, application or making of a firearm, explosive or incendiary device capable of causing injury to or the death of, or techniques capable of causing injury to or the death of, another person if the person teaching, training or demonstrating intends or knows that the teaching, training or demonstrating is intended to be used by the other person in or in furtherance of civil disorder; or [PL 2023, c. 621, §1 (NEW).]

B. Assembles with one or more other persons for the purpose of practicing or being trained or instructed in the use, application or making of a firearm, explosive or incendiary device capable of causing injury to or the death of, or in techniques capable of causing injury to or the death of, another person if the person intends or knows that the practicing, training or instruction is intended to be used in or in furtherance of civil disorder. [PL 2023, c. 621, §1 (NEW).]

[PL 2023, c. 621, §1 (NEW).]

3. Penalty. A person who violates subsection 2 commits a Class D crime. [PL 2023, c. 621, §1 (NEW).]

4. Exemptions. This section does not apply to:

A. Any activity engaged in for a legitimate law enforcement purpose by a law enforcement officer; [PL 2023, c. 621, §1 (NEW).]

B. A student in an educational institution authorized by the State or the Federal Government to teach military or naval science as a prescribed part of the course of instruction, when under the supervision of a duly authorized instructor, including, without limitation, instruction at the Maine Maritime Academy; [PL 2023, c. 621, §1 (NEW).]

C. Any lawful activity undertaken without knowledge of or intent to cause or further civil disorder that is intended to teach or practice self-defense or self-defense techniques, including activities undertaken at martial arts classes and self-defense clinics and other similar lawful activity; [PL 2023, c. 621, §1 (NEW).]

D. Any facility, program or lawful activity related to firearms instruction and training that is intended to teach the safe handling and use of firearms; [PL 2023, c. 621, §1 (NEW).]

E. Any lawful sport or activity related to the individual recreational use or possession of firearms, including hunting pursuant to Title 12, Part 13, target shooting, self-defense and firearms collection; or [PL 2023, c. 621, §1 (NEW).]

F. A person while in a duty status in the United States Armed Forces, the National Guard, the naval militia, the state military forces, any regularly organized militia of this State or any unorganized or reserve militia called into service by this State or the United States. [PL 2023, c. 621, §1 (NEW).]
[PL 2023, c. 621, §1 (NEW).]

5. Civil action; injunctive relief. If the Attorney General has reason to believe that a person is violating or is about to violate subsection 2, and that proceedings would be in the public interest, the Attorney General may bring a civil action in the name of the State in Superior Court to restrain or prevent the violation by temporary or permanent injunction. The action must be brought in Kennebec County or the county in which the person resides or is doing business. The court may issue a temporary or permanent injunction to restrain or prevent a violation of subsection 2.
[PL 2023, c. 621, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 621, §1 (NEW).

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