



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 369

S.P. 152

In Senate, February 10, 2021

**An Act To Criminalize Recording an Incident in Progress but  
Failing To Report the Incident Immediately to the Appropriate  
Authority**

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Received by the Secretary of the Senate on February 8, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator POULIOT of Kennebec.

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

2 **Sec. 1. 17-A MRSA §761** is enacted to read:

3 **§761. Recording but failing to report an incident in progress**

4 1. A person is guilty of recording but failing to report an incident in progress if the  
5 person records by a video, audio, handheld or other electronic device an act in progress that  
6 the person knows or has reason to believe is criminal activity or an incident involving  
7 serious bodily injury or death and fails to report the act or incident immediately by the  
8 quickest means of communication to an appropriate law enforcement or emergency  
9 response authority or by making a 9-1-1 call. For purposes of this subsection, "9-1-1 call"  
10 has the same meaning as in Title 25, section 2921, subsection 17.

11 2. Recording but failing to report an incident in progress is a Class E crime.

12 **SUMMARY**

13 This bill makes recording by electronic device an incident in progress such as a crime  
14 or incident involving serious bodily injury or death but failing to immediately report the  
15 incident to an appropriate law enforcement or emergency response authority, which may  
16 include calling 9-1-1, a Class E crime.