

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Reduce the Cost of the Operation of County Jails

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

Sec. 1. 17-A MRSA §1203, sub-§1-A, ¶C, as enacted by PL 1999, c. 788, §4, is amended to read:

C. As to both the suspended and unsuspended portions of the sentence, the place of imprisonment must be as follows.

(1) For a ~~Class D~~ or Class E crime the court must specify a county jail as the place of imprisonment. For a Class D crime, the court must specify a county jail as the place of imprisonment for a sentence of less than 6 months. For a sentence of 6 months or more, the court must commit the person to the Department of Corrections.

(2) For a Class A, Class B or Class C crime the court must:

(a) Specify a county jail as the place of imprisonment for any portion of the sentence that is less than 6 months or less; and

(b) Commit the person to the Department of Corrections for any portion of the sentence that is more than 96 months or more.

Sec. 2. 17-A MRSA §1252, sub-§1, ¶A, as enacted by PL 1989, c. 693, §5, is amended to read:

A. For a ~~Class D~~ or Class E crime the court must specify a county jail as the place of imprisonment.

Sec. 3. 17-A MRSA §1252, sub-§1, ¶B, as enacted by PL 1989, c. 693, §5, is amended to read:

B. For a Class A, Class B ~~or~~, Class C or Class D crime the court must:

(1) Specify a county jail as the place of imprisonment if the term of imprisonment is less than 6 months or less; or

(2) Commit the person to the Department of Corrections if the term of imprisonment is more than 96 months or more.

SUMMARY

This bill provides that for a Class A, Class B, Class C or Class D crime the court must specify a county jail as the place of imprisonment if the term of imprisonment is less than 6 months and must commit the person to the Department of Corrections if the term of imprisonment is 6 months or more. In the case of a split sentence, it provides that for a Class D crime, the court must specify a county jail as the place of imprisonment for a sentence of less than 6 months and must commit the person to the Department of Corrections for a sentence of 6 months or more. Also in the case of a split sentence, for a Class A, Class B or Class C crime the court must specify a county jail as the place of imprisonment for any portion of the sentence that is less than 6 months and commit the person to the Department of Corrections for any portion of the sentence that is 6 months or more.