

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 Provide Equity in County Jail Maximum Sentences

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~~shall specify a county jail as the place of imprisonment.

(1-A) For a Class D crime the court shall specify a county jail as the place of imprisonment for all sentences of less than 6 months. For all sentences of 6 months or more the court shall commit the person to the custody of the Department of Corrections.

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

(a) Specify a county jail as the place of imprisonment for any portion of the sentence that is ~~9 months or less than~~ 6 months; and

(b) Commit the person to the Department of Corrections for any portion of the sentence that is ~~more than 9~~ 6 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~~shall 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~~shall:

(1) ~~Specify~~Commit the person to a county jail as ~~the place of imprisonment~~ if the term of imprisonment is ~~9 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 changes the maximum county jail sentences from 9 months to less than 6 months. It also changes the maximum imprisonment in a county jail for crimes other than murder from 9 months to less than 6 months.