

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

Amend the bill in section 1 in §90-E by striking out all of subsection 3 and inserting the following:

3. Criminal penalty. A violation of this section is governed by Title 17-A, section 706-A.

Amend the bill in section 1 in §90-E in subsection 4 in the first paragraph in the first line (page 6, line 7 in L.D.) by striking out the following: "section" and inserting the following: 'subsection'

Amend the bill in section 1 in §90-E in subsection 4 in paragraph B in the first line (page 6, line 21 in L.D.) by striking out the following: "section" and inserting the following: 'subsection'

Amend the bill in section 1 in §90-E in subsection 4 in paragraph C in the first line (page 6, line 30 in L.D.) by striking out the following: "section" and inserting the following: 'subsection' and in the 2nd line (page 6, line 31 in L.D.) by striking out the following: "section" and inserting the following: 'subsection'

Amend the bill in section 1 in §90-E in subsection 4 in paragraph E in the 2nd line (page 7, line 7 in L.D.) by striking out the following: "in which the financing statement record is presented for filing"

Amend the bill in section 1 in §90-E in subsection 4 in paragraph F in the first line (page 7, line 9 in L.D.) by striking out the following: "section" and inserting the following: 'subsection'

Amend the bill by inserting after section 1 the following:

Sec. 2. 17-A MRSA §706-A is enacted to read:

§ 706-A. Falsely filing a recordable instrument

1. A person is guilty of falsely filing a recordable instrument if, with intent to defraud, harass or intimidate, the person files or causes to be filed a will, deed, mortgage, security instrument or other writing for which the law provides public recording, knowing or believing the writing to be false or without legal authority.

2. Falsely filing a recordable instrument is a Class D crime.

SUMMARY

This amendment establishes a separate crime in the Maine Criminal Code of falsely filing a recordable instrument as a Class D crime. This new crime addresses the problem of persons filing false or spurious documents in public registries, such as those maintained by the registries of deeds or probate and the Office of the Secretary of State, with the intent to defraud, harass or intimidate. This amendment amends the bill to cross-reference the new crime, rather than establishing the crime in the Maine Revised Statutes, Title 5.

This amendment corrects internal references to remedies available.

FISCAL NOTE REQUIRED

(See attached)