

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 Decriminalize Certain Actions

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

Sec. 1. 17-A MRSA §402, sub-§5 is enacted to read:

5. Notwithstanding any other provision of this section, a person who commits trespass but does not pose any threat or danger and gives no resistance to a law enforcement official commits a civil violation for which a fine of \$100 or community service work may be imposed.

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

§ 761. Civil disobedience

Notwithstanding the provisions of section 751, a person is guilty of civil disobedience if the person, for political purposes, actively refuses to obey certain laws, demands and commands of a government without resorting to physical violence. Notwithstanding the provisions of section 1252, civil disobedience is a Class E crime for which only a fine of \$100 or community service work may be imposed.

SUMMARY

This bill makes trespass a civil violation when the trespasser poses no threat or danger and gives no resistance to law enforcement officials. In such cases, a fine of \$100 or community service work may be imposed. This bill also creates the crime of civil disobedience, which is when a person, for political purposes, actively refuses to obey certain laws, demands and commands of a government without resorting to physical violence. This bill makes civil disobedience a Class E crime for which only a fine of \$100 or community service work may be imposed.