

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

Amend the amendment by striking out all of the first 6 indented paragraphs (page 1, lines 11 to 28 in amendment) and inserting the following:

Amend the bill in section 1 in §210-A in subsection 1 by striking out all of paragraph C (page 1, lines 22 to 39 and page 2, lines 1 to 13 in L.D.) and inserting the following:

‘C. The actor violates paragraph A and has 2 or more prior convictions in this State or another jurisdiction.

~~Violation of this paragraph is a Class C crime. The court shall impose a sentencing alternative involving a term of imprisonment of at least 6 months, of which 14 days may not be suspended, and may order the person to attend an abuser education program approved by the court.~~

For the purposes of this paragraph, "prior conviction" means a conviction for a violation of this section; Title 5, section 4659; Title 15, section 321; former Title 19, section 769; Title 19-A, section 4011; Title 22, section 4036; any other temporary, emergency, interim or final protective order; an order of a tribal court of the Passamaquoddy Tribe or the Penobscot Nation; any similar order issued by any court of the United States or of any other state, territory, commonwealth or tribe; or a court-approved consent agreement. Section 9-A governs the use of prior convictions when determining a sentence.

Amend the amendment on page 2 by striking out all of the 2nd indented paragraph (page 2, line 3 in amendment)

Amend the amendment by striking out all of section 4.

## SUMMARY

This amendment clarifies that a person is guilty of stalking if that person violates the Maine Revised Statutes, Title 17-A, section 210-A, subsection 1, paragraph A and has 2 or more prior convictions in this State or another jurisdiction. The amendment removes the provision that requires the imposition of a sentencing alternative. The amendment also adds convictions for a violation of Title 22, section 4036 to the definition of "prior conviction." The amendment also strikes the appropriations and allocations section.