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**JUDICIARY**

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**STATE OF MAINE  
SENATE  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 701, L.D. 1802, “An Act to Implement the Recommendations of the Maine Commission on Public Defense Services to Clarify When an Indigent Criminal Defendant Is Entitled to Counsel at State Expense”

Amend the bill in section 1 in paragraph A in subparagraph (3) in the last line (page 1, line 11 in L.D.) by striking out the following: "or"

Amend the bill in section 1 in paragraph A in subparagraph (4) in the last line (page 1, line 14 in L.D.) by inserting after the following: "defendant;" the following: 'or'

Amend the bill in section 1 in paragraph A by inserting after subparagraph (4) the following:

'(5) The accused is subject to conditions of preconviction bail pursuant to chapter 105-A, subchapter 2.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment provides that, in addition to the qualifying factors established in the bill to determine whether an indigent criminal defendant is entitled to counsel at state expense because there is a risk upon conviction that the accused may be sentenced to a term of imprisonment, an indigent criminal defendant is entitled to such counsel if the defendant is subject to conditions of preconviction bail.

**FISCAL NOTE REQUIRED**  
**(See attached)**

**COMMITTEE AMENDMENT**