

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 967 - L.D. 1512

**An Act to Require the Consideration of Restitution to Support a Child  
Whose Parent Is Killed During the Commission of a Crime**

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

**Sec. 1. 17-A MRSA §2002, sub-§3, ¶C**, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

C. "Dependent's economic loss" means loss after a decedent's death of contributions of things of economic value to the decedent's dependents, not including services they would have received from the decedent if the decedent had not suffered the fatal injury; ~~less expenses of the dependents avoided by reason of decedent's death.~~

**Sec. 2. 17-A MRSA §2002, sub-§3, ¶D**, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

D. "Dependent's replacement loss" means loss reasonably incurred by dependents after a decedent's death in obtaining ordinary and necessary services in lieu of those the decedent would have performed for their benefit if the decedent had not suffered the fatal injury; ~~less expenses of the dependents avoided by reason of the decedent's death and not subtracted in calculating dependent's economic loss.~~

**Sec. 3. 17-A MRSA §2003, sub-§2**, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

**2. Reasons for not imposing restitution.** In any case where the court determines that restitution should not be imposed in accordance with the criteria set forth in section 2005, the court shall state in open court or in writing the reasons for not imposing restitution, including, in a case involving a defendant convicted of an offense that resulted in the death of a person who is a parent of a minor, by specifically addressing the surviving dependent's economic loss and dependent's replacement loss and the reasons for not imposing restitution to compensate for those losses.