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27 likelihood of serious harm; and 28 C. There is no other less restrictive alternative to placement in a mental health ur 29 a correctional facility. 30 2. Treatment; transfer. The department shall provide services and treats 31 consistent with the requirements of Title 15, section 101-D, subsection 5 to a defers 32 accepted for treatment in a mental health unit of a correctional facility under subsection 33 The department may not transfer to another unit of a correctional facility a defers 34 accepted for treatment in a mental health unit of a correctional facility under subsection 35 3. Termination of placement. Termination of placement is governed by	24	A. The defendant is at risk of causing serious harm by engaging in interpersonal violence that is not primarily driven by symptoms of a major mental illness or othe disability;
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56 Subsection	31 32 33 34	 Treatment; transfer. The department shall provide services and treatment consistent with the requirements of Title 15, section 101-D, subsection 5 to a defendant accepted for treatment in a mental health unit of a correctional facility under subsection 1. The department may not transfer to another unit of a correctional facility a defendant accepted for treatment in a mental health unit of a correctional facility under subsection 1. Termination of placement. Termination of placement is governed by this subsection.

37	(Senator BEEBE-CENTER, A.)
66	SPONSORED BY:
34 35	The amendment retains the provisions of the committee amendment regarding the stakeholder group and a reporting requirement.
30 31 32 33	The amendment removes the provision added in Committee Amendment "A" that requires a court to terminate placement of a defendant in a mental health unit if the court finds by clear and convincing evidence that the placement of the defendant is not the least restrictive placement appropriate for the defendant.
25 26 27 28 29	This amendment removes the emergency preamble and emergency clause from the bill. Because the Maine Revised Statutes, Title 34-A, section 3069-C is scheduled to be repealed on July 1, 2024, and this amendment will not take effect prior to July 1, 2024, this amendment enacts the provisions of Title 34-A, section 3069-C as Title 34-A, section 3069-D but changes the repeal date to November 1, 2027.
24	SUMMARY
22 23	Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.
21	'Amend the bill by striking out all of the emergency clause.'
20	Amend the amendment by inserting after section 4 the following:
9	6. Repeal. This section is repealed November 1, 2027.
.6 .7 .8	5. Application of other laws. All other applicable provisions of law governing defendants found incompetent to stand trial apply to defendants accepted for placement under this section.
1 2 3 4 5	4. Disclosure of information. With respect to a defendant who has previously been hospitalized under Title 34-B, chapter 3, subchapter 4, the commissioner may make it a prerequisite to accepting placement of the defendant under this section that necessary information be disclosed to the department pursuant to Title 34-B, section 1207, subsection 1, paragraph B.
5 6 7 8 9	B. At any time after 90 days of placement in a mental health unit of a correctional facility, except not within 60 days of resolution of a prior petition under this paragraph, the defendant may petition the court for return to placement in a less restrictive setting on the grounds that the criteria for placement under subsection 1 no longer exist. If a petition is filed under this paragraph, the court shall hold a hearing and issue a decision maintaining or terminating the placement.
2 3 4	to this section if the commissioner determines that the likelihood of serious harm posed by the defendant has decreased or the security at a state mental health institute has increased or for any other reason.
1	A. The commissioner may terminate the placement of a defendant accepted pursuant

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COUNTY: Knox