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Legislative Document

No. 803

S.P. 117

In Senate, March 5, 2021

An Act Regarding Violation of a Protective Order

Submitted by the Criminal Law Advisory Commission pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in dark ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DESCHAMBAULT of York.

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

Sec. 1. 19-A MRSA §4011, sub-§4, as enacted by PL 2001, c. 420, §2, is amended to read:

4. Reckless conduct; assault. A defendant who violates a protective order issued pursuant to section 4007 or an order that is similar to a protective order pursuant to section 4007 issued by a court of the United States or of another state, territory, commonwealth or tribe through conduct that is reckless and that creates a substantial risk of death or serious bodily injury to the plaintiff named in the protective order or who assaults the plaintiff named in the protective order commits a Class C crime.

SUMMARY

Under current law a person who violates a protective order issued by a Maine court through conduct that is reckless and that creates a substantial risk of death or serious bodily injury to the person named in the protective order or who assaults that person commits a Class C crime. This bill extends the prohibited conduct to a violation of an order that is similar to a protective order and that is issued by a court of the United States or of another state, territory, commonwealth or tribe.