

Date:

(Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

130TH LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 198, L.D. 491, “An Act To Create the Crime of Hate Crime False Public Alarm or Report”

Amend the bill by striking out the title and substituting the following:

'An Act To Give Special Weight to Discriminatory Motive in Sentencing for False Public Alarm or Report'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 17-A MRSA §1501, sub-§8, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

8. Permit sentences based on factors of crime committed. Permit sentences that do not diminish the gravity of offenses, with reference to the factors, among others, of:

A. The age of the victim, particularly of a victim of an advanced age or of a young age who has a reduced ability to self-protect or who suffers more significant harm due to age; ~~and~~

B. The selection by the person of the victim or of the property that was damaged or otherwise affected by the crime because of the race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation or homelessness of the victim or of the owner or occupant of that property; and

C. The discriminatory motive of the person in making a false public alarm or report in violation of section 509, subsection 1; and'

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

SUMMARY

This amendment replaces the bill. The amendment amends the general sentencing statements of purpose of the Maine Criminal Code to permit the sentence of a person

- 1 convicted of false public alarm or report to take into account the discriminatory motive of
- 2 the person making the false public alarm or report.