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An Act To Allow a Court To Order a Person Who Violates a Municipal Ordinance To Perform Community Service Work

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

Sec. 1. 17-A MRSA §1345, as amended by PL 1995, c. 502, Pt. F, §17, is further amended to read:

§ 1345. Community service work

1. An offender convicted of a Class D or Class E crime or adjudicated as having violated a municipal ordinance may be sentenced or otherwise ordered to perform a specified number of hours of community service work for the benefit of the State, a county, a municipality, a school administrative district or other public entity, a charitable institution or other entity approved by the court.

2. An offender who has been sentenced or otherwise ordered to perform community service work and fails to complete the work within the time specified by the court must be returned to the court for further disposition.

3. ~~The~~Neither the judicial branch nor the Department of Corrections is ~~not~~ responsible for supervision of community service work pursuant to this section. A court may not order an offender to perform community service work unless an organized community service work program exists in the offender's community.

4. An offender adjudicated as having violated a municipal ordinance may be ordered to perform community service work pursuant to this section only if the municipality has a community service work program established by ordinance that provides oversight of the community service order and ensures meaningful compliance with the community service requirements.

SUMMARY

This bill makes the following changes to the laws governing community service work.

1. It provides that an offender adjudicated as having violated a municipal ordinance may be ordered to perform community service work.

2. It provides that the judicial branch is not responsible for supervision of community service work.

3. It provides that an offender adjudicated as having violated a municipal ordinance may be ordered to perform community service work only if the municipality has established a community service work program that provides oversight of the community service order and ensures meaningful compliance with the community service requirements.