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Legislative Document

No. 776

H.P. 581

House of Representatives, February 12, 2019

An Act Regarding Post-judgment Motion by a Person Seeking To Satisfy the Prerequisites for Obtaining Special Restrictions on the Dissemination and Use of Criminal History Record Information for Certain Criminal Convictions

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TALBOT ROSS of Portland.
Cosponsored by President JACKSON of Aroostook and
Representatives: BRENNAN of Portland, CARDONE of Bangor, COLLINGS of Portland,
EVANGELOS of Friendship, MOONEN of Portland, TIPPING of Orono.

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

2 **Sec. 1. 15 MRSA §2251, sub-§6**, as enacted by PL 2015, c. 354, §1, is amended
3 to read:

4 **6. Eligible criminal conviction.** "Eligible criminal conviction" means a conviction
5 for a current or former Class D or Class E crime, except a conviction for a current or
6 former Class D or Class E crime under Title 17-A, chapter 11.

7 **Sec. 2. 15 MRSA §2252, sub-§2**, as enacted by PL 2015, c. 354, §1, is amended
8 to read:

9 **2. Age of person at time of commission.** At the time of the commission of the
10 crime underlying the eligible criminal conviction, the person had in fact attained 18 years
11 of age but not ~~24~~ 26 years of age;

12 **Sec. 3. 15 MRSA §2259**, as enacted by PL 2015, c. 354, §1, is repealed.

13 **SUMMARY**

14 This bill amends the law concerning a post-judgment motion by a person seeking to
15 satisfy the prerequisites for obtaining special restrictions on the dissemination and use of
16 criminal history record information for certain criminal convictions in the following
17 ways:

18 1. Current law makes convictions of only certain Class E crimes eligible for special
19 restrictions on dissemination and use of criminal history record information. This bill
20 expands eligibility to include convictions of both certain Class E crimes and certain Class
21 D crimes;

22 2. Current law allows eligibility for restrictions on dissemination and use of criminal
23 history record information only for persons who at the time of the commission of the
24 crime were 18 to 20 years of age. This bill expands eligibility to a person who at the time
25 of the commission of the crime was 18 to 25 years of age; and

26 3. This bill removes the provision repealing the current law October 1, 2019.