

Date: (Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 302, L.D. 1023, Bill, “An Act Regarding the Definition of "Serious Bodily Injury" in the Maine Criminal Code”

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

Sec. 1. 17-A MRSA §2, sub-§23, as amended by PL 1975, c. 740, §11, is further amended to read:

23. "Serious bodily injury" means a bodily injury ~~which~~ that creates a substantial risk of death ~~or which, that~~ causes serious, permanent disfigurement or loss or substantial impairment of the health or function of any bodily member or organ, part of the body or that causes harm that requires extended convalescence ~~necessary~~ for the recovery of physical or mental health.

Sec. 2. 17-A MRSA §208, sub-§1, ¶A, as amended by PL 2015, c. 358, §1, is further amended to read:

A. Bodily injury to another that creates a substantial risk of death or that causes harm that requires extended convalescence ~~necessary~~ for the recovery of physical or mental health. Violation of this paragraph is a Class B crime;

Sec. 3. 17-A MRSA §208, sub-§1, ¶A-1, as enacted by PL 2015, c. 358, §1, is amended to read:

A-1. Bodily injury to another that causes serious, permanent disfigurement or loss or substantial impairment of the health or function of any ~~bodily member or organ~~ part of the body. Violation of this paragraph is a Class A crime;

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON
Maine Commission on Indigent Legal Services Z112**

COMMITTEE AMENDMENT

1 Initiative: Provides funding for increased costs to the Maine Commission on Indigent
2 Legal Services due to amending the definition of "serious bodily injury" in the Maine
3 Criminal Code.

4	GENERAL FUND	2019-20	2020-21
5	All Other	\$19,881	\$26,508
6			
7	GENERAL FUND TOTAL	<u>\$19,881</u>	<u>\$26,508</u>
8			

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

11 **SUMMARY**

12 This amendment strikes and replaces the bill. The amendment amends the definition
13 of "serious bodily injury" in the Maine Criminal Code by clarifying the language
14 regarding injury that leads to extended convalescence. The amendment also amends the
15 law regarding the crime of aggravated assault to reflect the changes to the definition of
16 "serious bodily injury" contained in the amendment. The amendment adds an
17 appropriations and allocations section.

18 **FISCAL NOTE REQUIRED**

19 **(See attached)**