

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

Date: (Filing No. S-)

JUDICIARY

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 878, L.D. 2085, “An Act to Update Maine’s Domestic Violence and Stalking Laws”

Amend the bill in section 1 in subsection 1 in the 4th line (page 1, line 22 in L.D.) by inserting after the following: "disregarding a" the following: 'substantial'

Amend the bill in section 2 in paragraph A in subparagraph (3) in the first line (page 1, line 36 in L.D.) by inserting after the following: "disregarding a" the following: 'substantial'

Amend the bill in section 2 in paragraph A in subparagraph (4) in the first line (page 1, line 39 in L.D.) by inserting after the following: "disregarding a" the following: 'substantial'

Amend the bill in section 3 in paragraph A in subparagraph (2) in the first line (page 2, line 10 in L.D.) by inserting after the following: "disregard of a" the following: 'substantial'

Amend the bill in section 4 in paragraph B in the 4th line (page 2, line 18 in L.D.) by inserting after the following: "disregarded a" the following: 'substantial'

Amend the bill in section 5 in paragraph E in the 3rd line (page 2, line 24 in L.D.) by inserting after the following: "disregard of a" the following: 'substantial'

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

SUMMARY

This amendment more closely aligns the provisions of the bill with the federal standard set by *Counterman v. Colorado*, 600 U.S. 66 (2023) by specifying that, for an actor to commit "abuse" within the meaning of the protection from abuse laws based on the content of the actor's speech or for an actor to commit the crime of terrorizing, domestic violence terrorizing, stalking, domestic violence stalking or harassment by telephone based on the content of the actor's speech, the actor must have consciously disregarded a substantial risk that the actor's speech would place a reasonable person in fear of bodily injury.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT