

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

S.P. 117 - L.D. 803

An Act Regarding Violation of a Protective Order

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

Sec. 1. 19-A MRSA §4011, sub-§1, as amended by PL 2001, c. 420, §1, is further amended to read:

1. Crime committed. Except as provided in subsections 2 ~~and~~ 4 and 5, violation of the following is a Class D crime when the defendant has prior actual notice, which may be notice by means other than service in hand, of the order or agreement:

- A. A temporary, emergency, interim or final protective order, an order of a tribal court of the Passamaquoddy Tribe or the Penobscot Nation or a similar order issued by a court of the United States or of another state, territory, commonwealth or tribe; or
- B. A court-approved consent agreement.

Sec. 2. 19-A MRSA §4011, sub-§4, as enacted by PL 2001, c. 420, §2, is amended to read:

4. Reckless conduct; assault. A defendant who violates a protective order issued pursuant to section 4007 or an order that is similar to a protective order pursuant to section 4007 issued by a court of the United States or of another state, territory, commonwealth or tribe through conduct that is reckless and that creates a substantial risk of death or serious bodily injury to the plaintiff named in the protective order or who assaults the plaintiff named in the protective order commits a Class C crime.