

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 156

H. P. 138

House of Representatives, January 24, 1979

Referred to the Committee on Judiciary. Sent up for concurrence and 1,700 ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Drinkwater of Belfast.

Cosponsor: Mr. Lowe of Winterport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to the Use of Force in Defense of Premises.

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

Sec. 1. 17-A MRSA § 104, sub-§ 1, as enacted by PL 1975, c. 740, § 26, is amended to read:

1. A person in possession or control of premises or a person who is licensed or privileged to be thereon is justified in using nondeadly force upon another when and to the extent that he reasonably believes it necessary to prevent or terminate the commission of a criminal ~~trespass~~ **act** by such other in or upon such premises.

Sec. 2. 17-A MRSA § 104, sub-§ 4, as enacted by PL 1975, c. 740, § 26, is amended to read:

4. A person may use deadly force under subsection 3, paragraph B, only if he first demands the person against whom such deadly force is to be used to terminate the criminal ~~trespass~~ **act** and the other person fails to immediately comply with the demand, unless he reasonably believes that it would be dangerous to himself or another to make the demand.

STATEMENT OF FACT

The purpose of this bill is to give the property owner or his agent the authority to control criminal conduct on his property.