

# MAINE STATE LEGISLATURE

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SAZ  
ROFS

L.D. 246

Date: 6/3/25

## REPORT C

(Filing No. S-254)

### JUDICIARY

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#### STATE OF MAINE

#### SENATE

#### 132ND LEGISLATURE

#### FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "B" to S.P. 112, L.D. 246, "An Act to Establish the Option of Sentencing Alternatives for Primary Caregivers"

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

'Sec. 1. 17-A MRSA §1602, sub-§4 is enacted to read:

4. Class D or Class E crimes. In imposing a sentencing alternative for a Class D or Class E crime pursuant to section 1502 that is contested by the parties and setting the appropriate length of that term as well as any unsuspended portion of that term accompanied by a period of probation or administrative release, the court shall consider all relevant sentencing factors, both aggravating and mitigating, appropriate to the case. Relevant sentencing factors include, but are not limited to, the character of the individual, the individual's criminal history, the effect of the offense on the victim, the effect of the potential sentencing alternative on those relying on the individual as a primary caregiver and the protection of the public interest.

Sec. 2. 17-A MRSA §1602, sub-§5 is enacted to read:

5. Primary caregiver defined. As used in this section, "primary caregiver" means an individual who has the greatest responsibility for the care of a minor, a dependent person or an incapacitated adult as defined by Title 22, section 3472, subsection 10.'

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

### SUMMARY

This amendment requires a court, in sentencing a defendant convicted of a Class D or Class E crime, to consider a sentencing alternative other than imprisonment due to the defendant's being a primary caregiver of a minor, dependent person or incapacitated adult.

### FISCAL NOTE REQUIRED

(See attached)

# COMMITTEE AMENDMENT



Approved: 03/18/25 **LRL**

# 132nd MAINE LEGISLATURE

LD 246

LR 203(03)

An Act to Establish the Option of Sentencing Alternatives for Primary Caregivers

Fiscal Note for Bill as Amended by Committee Amendment

**§ S-254**

Committee: Judiciary

Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Any additional costs to the Department of Corrections are expected to be minor and can be absorbed within existing budgeted resources.