

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 986

S.P. 418

In Senate, March 11, 2025

An Act to Eliminate the Crime of Felony Murder

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BEEBE-CENTER of Knox.

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

2 **Sec. 1. 5 MRSA §4651, sub-§2, ¶C**, as amended by PL 2017, c. 455, §1, is further
3 amended to read:

4 C. A single act or course of conduct constituting a violation of section 4681; Title 17,
5 section 2931; or Title 17-A, section 201, ~~202~~, 203, 204, 207, 208, 209, 210, 210-A,
6 211, 253, 254, 255-A, 256, 258, 259-A, 259-B, 260, 261, 282, 283, 301, 302, 303, 506,
7 506-A, 511, 511-A, 556, 802, 805, 806, 852 or 853.

8 **Sec. 2. 15 MRSA §321, sub-§2, ¶A**, as amended by PL 2023, c. 405, Pt. A, §32,
9 is further amended to read:

10 A. A person is charged with or convicted of a violation of Title 17-A, section 201,
11 ~~202~~, 203, 204, 207, 207-A, 208, 208-A, 208-B, 208-C, 208-D, 208-E, 208-F, 209,
12 209-A, 210, 210-A, 210-B, 210-C, 211, 253, 301, 302, 303, 506-A or 556;

13 **Sec. 3. 15 MRSA §454**, as amended by PL 2015, c. 431, §6, is further amended to
14 read:

15 **§454. Murder ~~or felony murder~~; filing copies of proceedings; expenses**

16 Whenever any person is convicted of murder ~~or felony murder~~, by jury verdict, court
17 finding or court acceptance of a plea of guilty or nolo contendere, a copy, as applicable, of
18 the transcript of the plea hearing, trial testimony and jury instructions, certified by the
19 Official Court Reporter who created a transcript of the reporter's stenographic notes or the
20 transcriber who created a transcript from the electronically recorded record, must be filed
21 with the clerk of the court where that trial is held, and the expense for the transcript must
22 be paid by the State. A copy, as applicable, of the transcript of the plea hearing, trial
23 testimony and jury instructions, certified by the Official Court Reporter who created a
24 transcript of the reporter's stenographic notes or the transcriber who created a transcript
25 from the electronically recorded record, must be furnished by the clerk of court to the
26 Secretary of State at no charge for use in any pardon hearing before the Governor, when
27 the individual is indigent.

28 **Sec. 4. 15 MRSA §3101, sub-§4, ¶C-2**, as amended by PL 2007, c. 475, §6, is
29 further amended to read:

30 C-2. With respect to the finding of appropriateness required by paragraph E,
31 subparagraph (2), the State has the burden of proof, except that in a case involving a
32 juvenile who is charged with one or more juvenile crimes that, if the juvenile were an
33 adult, would constitute murder, aggravated attempted murder, attempted murder,
34 ~~felony murder~~, Class A manslaughter other than the reckless or criminally negligent
35 operation of a motor vehicle, elevated aggravated assault on a pregnant person,
36 elevated aggravated assault, arson that recklessly endangers any person, causing a
37 catastrophe, Class A robbery or Class A gross sexual assault in which the victim
38 submits as a result of compulsion, the juvenile has the burden of proof.

39 **Sec. 5. 15 MRSA §3308-C, sub-§2, ¶A**, as enacted by PL 2021, c. 365, §19 and
40 affected by §37, is amended to read:

41 A. Any juvenile petition alleging a violation of Title 17-A, section 201, ~~202~~ or 203 if
42 the juvenile charged had attained 13 years of age at the time of the alleged juvenile

1 crime, if the Juvenile Court has found there is probable cause to believe the juvenile
2 committed a juvenile crime that would be a violation of Title 17-A, section 201,~~202~~
3 or 203 if the juvenile involved were an adult.

4 If the juvenile had not attained 13 years of age at the time of the alleged violation of
5 Title 17-A, section 201,~~202~~ or 203, the Juvenile Court may allow public inspection of
6 the juvenile petition pursuant to paragraph C;

7 **Sec. 6. 17-A MRSA §202**, as amended by PL 1991, c. 377, §8, is repealed.

8 **Sec. 7. 22 MRSA §4002, sub-§1-B, ¶B**, as enacted by PL 1997, c. 715, Pt. B, §1,
9 is amended by repealing subparagraph (2).

10 **Sec. 8. 22 MRSA §4055, sub-§1-A, ¶B**, as amended by PL 2015, c. 360, §4, is
11 further amended by repealing subparagraph (2).

12 **SUMMARY**

13 This bill eliminates the crime of felony murder and removes cross-references to that
14 crime in the Maine Revised Statutes.