

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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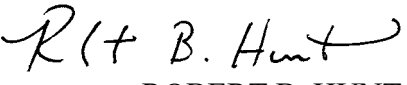
H.P. 870

House of Representatives, March 27, 2025

### An Act to Prohibit Life Sentences

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Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative MILLIKEN of Blue Hill.  
Cosponsored by Representatives: MATHIESON of Kittery, WARREN of Scarborough.

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

2       **Sec. 1. 15 MRSA §1202** is amended to read:

3       **§1202. Postponement or continuance**

4       The trial of any criminal case, except for a trial for a crime punishable by imprisonment  
5       for life prior to January 1, 2026, may be postponed by the court to a future day of the same  
6       term, or the jury may be discharged therefrom and the case continued, if justice will thereby  
7       be promoted.

8       **Sec. 2. 17-A MRSA §152-A, sub-§2**, as amended by PL 2019, c. 113, Pt. C, §58,  
9       is further amended to read:

10       **2.** Aggravated attempted murder is a Class A crime, except that, notwithstanding  
11       section 1604, subsection 1, paragraph A, ~~the sentence for a person convicted of aggravated~~  
12       attempted murder is prior to January 1, 2026 must be sentenced by the court to  
13       imprisonment for life or for a definite period of imprisonment for any term of years; and a  
14       person convicted of aggravated attempted murder on or after January 1, 2026 may not be  
15       sentenced by the court to imprisonment for life or for any term of years equivalent to  
16       imprisonment for life, and the court shall set a term of imprisonment for a definite period  
17       of any term of years. The In the case of a person convicted of aggravated attempted murder  
18       prior to January 1, 2026, existence of an aggravating circumstance serves only as a  
19       precondition for the court to consider a life sentence.

20       As used in this subsection, "term of years equivalent to imprisonment for life" has the same  
21       meaning as in section 1604, subsection 9.

22       **Sec. 3. 17-A MRSA §1603, sub-§1**, as enacted by PL 2019, c. 113, Pt. A, §2, is  
23       amended to read:

24       **1. Sentence.** A person convicted of the crime of murder prior to January 1, 2026 must  
25       be sentenced to imprisonment for life or for any term of years that is not less than 25 years.  
26       A person convicted of the crime of murder on or after January 1, 2026 may not be sentenced  
27       by the court to imprisonment for life or for any term of years equivalent to imprisonment  
28       for life, and the court shall set a term of imprisonment for any term of years that is not less  
29       than 25 years. The sentence of the court must specify the length of the sentence to be  
30       served and must commit the person to the Department of Corrections.

31       As used in this subsection, "term of years equivalent to imprisonment for life" has the same  
32       meaning as in section 1604, subsection 9.

33       **Sec. 4. 17-A MRSA §1604, sub-§2, ¶A**, as enacted by PL 2019, c. 113, Pt. A, §2,  
34       is amended to read:

35       A. In the case of a person convicted of the Class A crime of aggravated attempted  
36       murder prior to January 1, 2026, the court shall set a term of imprisonment under  
37       section 152-A, subsection 2 ~~of~~ for life or for a definite period of any term of years. In  
38       the case of a person convicted of the Class A crime of aggravated attempted murder on  
39       or after January 1, 2026, the court may not sentence the person to imprisonment for life  
40       or for any term of years equivalent to imprisonment for life, and the court shall set a  
41       term of imprisonment under section 152-A, subsection 2 for a definite period of any  
42       term of years;

**Sec. 5. 17-A MRSA §1604, sub-§8 is enacted to read:**

**8. Sentences of imprisonment on or after January 1, 2026.** Notwithstanding any provision of this Title to the contrary, beginning January 1, 2026, in sentencing a person convicted of a crime under this Title, a court may not set a term of imprisonment for life or for any term of years equivalent to imprisonment for life.

**Sec. 6. 17-A MRSA §1604, sub-§9 is enacted to read:**

**9. Definition; term of years equivalent to imprisonment for life.** As used in this section, "term of years equivalent to imprisonment for life" means a sentence of imprisonment for a term of years that, as determined by the court based on the age of the convicted person at the time of sentencing and other factors determined by the court, is reasonably expected to result in the imprisonment of the person for the remainder of the person's life.

## SUMMARY

This bill amends the sentencing provisions under the Maine Criminal Code to provide that, for a person convicted of any crime under that Code on or after January 1, 2026, in sentencing the person, a court may not set a term of imprisonment for life or for any term of years equivalent to imprisonment for life.

The bill defines "term of years equivalent to imprisonment for life" to mean a sentence of imprisonment for a term of years that, as determined by the court based on the age of the convicted person at the time of sentencing and other factors determined by the court, is reasonably expected to result in the imprisonment of the person for the remainder of the person's life.