

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 774

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H. P. 633

House of Representatives, March 8, 1977

On motion of Mr. Spencer of Standish, referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Drinkwater of Belfast.

Cosponsors: Mr. Shute of Stockton Springs, Mrs. Hutchings of Lincolnville.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT** Relating to the use of Force in Defense of Premises.

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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~~ **1**, 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.