

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 2032

S. P. 661

Office of the Secretary of the Senate
Filed by the Joint Standing Committee on Legal Affairs, under Joint Rule 17.

MAY M. ROSS, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

AN ACT to Amend the Crime of Assault on a Law Enforcement Officer.

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

Sec. 1. 17-A MRSA § 752, as enacted by PL 1975, c. 499, § 1, and as amended by PL 1975, c. 740, §§ 80 and 81, is repealed.

Sec. 2. 17-A MRSA § 752-A is enacted to read:

§ 752-A. Assault on an officer

1. A person is guilty of assault on an officer if:

A. He inflicts medically documented bodily injury on a law enforcement officer while the officer is in the performance of his official duties; or

B. While in custody in a penal institution of other facility pursuant to an arrest or pursuant to a court order, he commits an assault on a member of the staff of the institution or facility. As used in this paragraph "assault" means the crime defined in chapter 9, section 207.

2. Assault on an officer is a Class C crime.

STATEMENT OF FACT

This bill requires bodily injury, documented by medical evidence, before a person is guilty of assault on an officer. The penalty for the assault has been increased to a Class C crime.