

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 147

H.P. 105

House of Representatives, January 25, 1993

An Act to Provide for Enhanced Penalties for Crimes Committed against Elderly or Handicapped Persons.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative NASH of Camden.

Cosponsored by Representatives FARNUM of South Berwick, LIBBY of Kennebunk, LOOK of Jonesboro, Senator PINGREE of Knox.

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

2
3 Sec. 1. 17-A MRSA §4-C is enacted to read:

4
5 §4-C. Enhanced classification for crimes committed against
6 elderly or handicapped persons

8 1. As used in this section, unless the context otherwise
9 indicates, the following terms have the following meanings.

10
11 A. "Elderly person" means a person who is 60 years of age
12 or older at the time that an offense is committed or
13 attempted against that person or against that person's
14 property.

15
16 B. "Handicapped person" means a person who has a
17 substantial impairment in one or more of the following:

18 (1) Vision;

19 (2) Hearing;

20
21 (3) Speech and language;

22
23 (4) Cerebral or perceptual functions;

24
25 (5) Physical mobility functions;

26
27 (6) Behavior; or

28
29 (7) Mental development or maturation.

30
31
32 C. "Victim" means a person against whom a crime is
33 committed or the owner of property against which a crime is
34 committed. If a crime involves multiple victims and any of
35 those victims is an elderly or handicapped person, the crime
36 is deemed to be a crime against an elderly or handicapped
37 person.

38
39
40 2. If a crime classified pursuant to this code or a crime
41 outside this code classified pursuant to section 4-A is committed
42 and the victim of that crime is an elderly or handicapped person,
43 the classification of that crime is enhanced by one level.

44
45 **STATEMENT OF FACT**

46
47
48 This bill enhances the classification of crimes committed
49 against persons 60 years of age or older or handicapped persons
50 or crimes committed against their property. The classification
51 of a crime is enhanced by one level if the victim is an elderly
52 or handicapped person.