

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 261

H.P. 199

House of Representatives, February 2, 1993

**An Act Protecting the Assets of Persons Accused of Crimes as Needed to Hire Legal Counsel.**

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 HOLT of Bath.  
Cosponsored by Senator CAREY of Kennebec and  
Representatives: JOHNSON of South Portland, RICHARDSON of Portland.

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

4 Sec. 1. 15 MRSA §5826 is enacted to read:

6 **§5826. Protection of other property**

8 Except as provided in section 5821, all legitimately  
10 acquired assets, including real and personal property, of a  
12 person accused of a crime are protected from attachment under  
14 Title 14, chapter 507 and other civil proceedings to freeze  
assets, to the extent these assets are needed to secure and  
compensate legal counsel for the accused person's criminal  
defense. This protection extends from the time of arrest or  
indictment until judgment is entered.

16  
18 **STATEMENT OF FACT**

20 This bill protects legitimately acquired assets of persons  
22 accused of crimes from civil proceedings that might prevent an  
24 accused person from using assets needed to secure legal counsel  
for a criminal defense.