

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

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No. 8

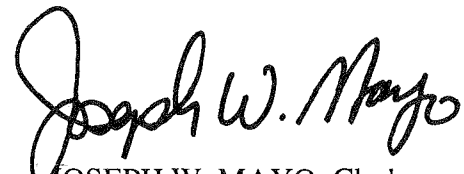
H.P. 12

House of Representatives, January 7, 1997

**An Act to Amend the Laws Specifying When an Indictment in a
Criminal Case Is Not Required.**

Reported by Representative THOMPSON for the Criminal Law Advisory Commission
under the Maine Revised Statutes, Title 17-A, section 1354, subsection 2.

Reference to the Joint Standing Committee on Judiciary suggested and printing ordered
under Joint Rule 218.


JOSEPH W. MAYO, Clerk

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

4 **Sec. 1. 15 MRSA §701, sub-§1**, as amended by PL 1979, c. 663,
§94, is repealed and the following enacted in its place:

6 **1. Use of charging instrument other than an indictment.**
8 **When a prosecution utilizing a charging instrument other than an**
indictment is expressly authorized by rule of court; or

10 **Sec. 2. 17-A MRSA §9, sub-§1**, as enacted by PL 1975, c. 499,
12 §1, is amended to read:

14 1. All proceedings for Class A, B and C crimes ~~shall~~ must
16 be prosecuted by indictment, unless indictment is waived, in
which case prosecution ~~may~~ must be ~~by information~~ as the Supreme
Judicial Court provides by rule; and

18 **SUMMARY**

20 This bill provides that an indictment in a criminal case is
22 not required if a prosecution utilizing a charging instrument
other than an indictment is expressly authorized by rule of court.