

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 307

S.P. 110

In Senate, January 14, 1999

An Act to Establish the Crime of Aggravated Criminal Trespass.

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator LONGLEY of Waldo.
Cosponsored by Representatives: McALEVEY of Waterboro, O'BRIEN of Augusta,
POVICH of Ellsworth.

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

4 **Sec. 1. 17-A MRSA §402-A is enacted to read:**

6 **§402-A. Aggravated criminal trespass**

8 1. A person is guilty of aggravated criminal trespass if,
10 knowing that that person is not licensed or privileged to do so,
12 that person:

14 A. Enters any dwelling place between the hours of sunset
16 and sunrise; and

18 B. At the time of the offense, has a prior conviction for
20 burglary or criminal trespass. For purposes of this
22 paragraph, the date of the prior conviction must precede the
24 commission of the offense by no more than 10 years. The
26 date of the conviction is deemed to be the date that the
28 sentence is imposed, even though an appeal was taken. The
30 date of a commission of a prior offense is presumed to be
32 that stated in the complaint, information, indictment or
34 other formal charging instrument, notwithstanding the use of
the words "on or about" or the equivalent.

2. Aggravated criminal trespass is a Class C crime.

SUMMARY

The bill creates the Class C crime of aggravated criminal trespass. A person is guilty of aggravated criminal trespass if, knowing that that person is not licensed or privileged to do so, that person enters any dwelling place between the hours of sunset and sunrise and, at the time of the offense, has a prior conviction for burglary or criminal trespass.