

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1073

H.P. 819

House of Representatives, February 22, 2001

**An Act to Provide Compensation to a Person Detained on the Basis of a
Warrant Issued in Error.**

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative MENDROS of Lewiston.
Cosponsored by Senator FERGUSON of Oxford and
Representatives: GERZOFSKY of Brunswick, JODREY of Bethel, KASPRZAK of Newport,
MARLEY of Portland, PERRY of Bangor, SNOWE-MELLO of Poland, Senators: DAVIS of
Piscataquis, LEMONT of York.

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

4 **Sec. 1. 15 MRSA §707-A** is enacted to read:

6 **§707-A. Action for compensation for person detained
on the basis of defective warrant**

8 **1. Court action.** A person who is detained on the basis of
10 a defective or baseless warrant or a warrant issued in error may
12 bring a civil action for liquidated damages of \$50 for every hour
14 that the person is wrongfully detained against the judicial
16 department by naming the state court administrator in a civil
18 suit.

20 **2. Fees and costs.** A successful plaintiff in an action
22 under subsection 1 is entitled to reasonable attorney's fees and
24 costs incurred in connection with that action.

26 **SUMMARY**

This bill allows a person who is detained on the basis of a
defective or baseless warrant or warrant issued in error to sue
the state court administrator to recover liquidated damages of
\$50 for every hour that the person is wrongfully detained. A
successful plaintiff in an action is entitled to reasonable
attorney's fees and costs incurred in connection with that action.