

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 922, L.D. 1236, Bill, "An Act to Strengthen the Bail Laws for Repeat Offenders"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 15 MRSA §1026, sub-§2, as amended by PL 1997, c. 585, §3, is further amended to read:

2. Release on personal recognizance or unsecured appearance bond. The judicial officer shall order the pretrial release of the defendant on personal recognizance or upon execution of an unsecured appearance bond in an amount specified by the judicial officer, unless, after consideration of the factors listed in subsection 4, the judicial officer determines that the release will not reasonably ensure the appearance of the defendant as required or will not otherwise reasonably ensure the integrity of the judicial process.

Sec. 2. 15 MRSA §1026, sub-§3, ¶A, as amended by PL 1997, c. 543, §7, is further amended by amending the first paragraph to read:

A. If, after consideration of the factors listed in subsection 4, the judicial officer determines that the release described in subsection 2 will not reasonably ensure the appearance of the defendant as required or will not otherwise reasonably ensure the integrity of the judicial process, the judicial officer shall order the pretrial release of the defendant subject to the least restrictive

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2 further condition or combination of conditions that the
judicial officer determines will reasonably ensure the
4 appearance of the defendant as required and will otherwise
reasonably ensure the integrity of the judicial process.
These conditions may include that the defendant:'

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SUMMARY

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This amendment replaces the bill and clarifies that judges
and bail commissioners must consider the factors in the Maine
12 Revised Statutes, Title 15, section 1026, subsection 4 when
determining whether to set preconviction bail.