

MAINE STATE LEGISLATURE

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2015

L.D. 357

DATE: 5/10/15

(Filing No. H-322)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 270, L.D. 357, Bill, "An Act Regarding Bail Conditions"

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-§3, ¶A, as amended by PL 2001, c. 252, §2, is further amended by enacting subparagraph (10-A) to read:

(10-A) Enter and remain in a long-term residential facility for the treatment of substance abuse;

Sec. 2. 15 MRSA §1092, sub-§1, ¶B, as enacted by PL 2003, c. 452, Pt. H, §3 and affected by Pt. X, §2, is amended to read:

B. A Class C crime if the underlying crime was punishable by a maximum period of imprisonment of one year or more and the condition of release violated is one specified in section 1026, subsection 3, paragraph A, subparagraph (5), (8), (10-A) or (13).

Sec. 3. 15 MRSA §1096, first ¶, as enacted by PL 1995, c. 356, §19, is amended to read:

An order of A preconviction bail entered by order of a bail commissioner may be revoked by any judge or justice, and a

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to H.P. 270, L.D. 357

2 preconviction bail order of a judge or justice may be revoked by
the any judge or justice ~~or,--if--that--judge--or--justice--is--not~~
4 ~~available,--by--another--judge--or--justice~~ of the same court, upon a
determination made after notice and opportunity for hearing that:'

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SUMMARY

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10 This amendment renumbers the new bail condition in the bill
that a person enter and remain in a long-term residential
12 facility for substance abuse so that it follows a similar
preconviction bail condition for treatment and precedes the
14 general provision that allows for any other condition reasonably
necessary in the Maine Revised Statutes, Title 15, section 1026,
16 subsection 3, paragraph A, subparagraph (18). The amendment also
clarifies the provision regarding revocation of a preconviction
18 bail order. Specifically, the amendment authorizes a judge or
justice to revoke the preconviction bail order of a bail
20 commissioner and also authorizes a judge or justice to revoke
preconviction bail entered by another judge or justice of the
same court.

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FISCAL NOTE REQUIRED
(See attached)

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Approved: 04/26/05 *MAC*

122nd MAINE LEGISLATURE

LD 357

LR 1896(02)

An Act Regarding Bail Conditions

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes a new Class C crime; increases correctional and judicial costs

The collection of additional fines may increase General Fund revenue by minor amounts