

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 329

H.P. 263

House of Representatives, January 23, 2007

An Act To Provide Equity in County Jail Maximum Sentences

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FLETCHER of Winslow.
Cosponsored by Senator McCORMICK of Kennebec and
Representatives: CONOVER of Oakland, CROCKETT of Augusta, FLOOD of Winthrop,
HANLEY of Gardiner, KNIGHT of Livermore Falls, THIBODEAU of Winterport, TREAT of
Farmingdale.

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

2 **Sec. 1. 17-A MRSA §1203, sub-§1-A, ¶C**, as enacted by PL 1999, c. 788, §4, is
3 amended to read:

4 C. As to both the suspended and unsuspended portions of the sentence, the place of
5 imprisonment must be as follows.

6 (1) For a ~~Class D or~~ Class E crime the court ~~must~~ shall specify a county jail as
7 the place of imprisonment.

8 (1-A) For a Class D crime the court shall specify a county jail as the place of
9 imprisonment for all sentences of less than 6 months. For all sentences of 6
10 months or more the court shall commit the person to the custody of the
11 Department of Corrections.

12 (2) For a Class A, Class B or Class C crime the court ~~must~~ shall:

13 (a) Specify a county jail as the place of imprisonment for any portion
14 of the sentence that is ~~9 months or~~ less than 6 months; and

15 (b) Commit the person to the Department of Corrections for any
16 portion of the sentence that is ~~more than 9~~ 6 months or more.

17 **Sec. 2. 17-A MRSA §1252, sub-§1, ¶A**, as enacted by PL 1989, c. 693, §5, is
18 amended to read:

19 A. For a ~~Class D or~~ Class E crime the court ~~must~~ shall specify a county jail as the
20 place of imprisonment.

21 **Sec. 3. 17-A MRSA §1252, sub-§1, ¶B**, as enacted by PL 1989, c. 693, §5, is
22 amended to read:

23 B. For a Class A, Class B ~~or~~, Class C or Class D crime the court ~~must~~ shall:

24 (1) ~~Specify~~ Commit the person to a county jail ~~as the place of imprisonment~~ if
25 the term of imprisonment is ~~9~~ less than 6 months or less; or

26 (2) Commit the person to the Department of Corrections if the term of
27 imprisonment is ~~more than 9~~ 6 months or more.

28 **SUMMARY**

29 This bill changes the maximum county jail sentences from 9 months to less than 6
30 months. It also changes the maximum imprisonment in a county jail for crimes other than
31 murder from 9 months to less than 6 months.