

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 524

H.P. 368

House of Representatives, February 9, 2017

An Act To Amend the Laws on Domestic Violence

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative RECKITT of South Portland.
Cosponsored by Representatives: COREY of Windham, DENNO of Cumberland, HERRICK of Paris, TALBOT ROSS of Portland, WARREN of Hallowell, Senators: BELLOWS of Kennebec, DESCHAMBAULT of York.

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

2 **Sec. 1. 17-A MRSA §208-D** is enacted to read:

3 **§208-D. Domestic violence aggravated assault**

4 **1.** A person is guilty of domestic violence aggravated assault if:

5 A. The person violates section 208 and the victim is a family or household member
6 as defined in Title 19-A, section 4002, subsection 4. Violation of this paragraph is a
7 Class B crime; or

8 B. The person violates section 208-B or 208-C and the victim is a family or
9 household member as defined in Title 19-A, section 4002, subsection 4. Violation of
10 this paragraph is a Class A crime.

11 **Sec. 2. 19-A MRSA §4011, sub-§5** is enacted to read:

12 **5. Repeat violations.** A person who commits a violation under subsection 1 and has
13 2 or more prior convictions under subsection 1 or has 2 or more prior convictions for
14 engaging in substantially similar conduct in another jurisdiction commits a Class C crime.

15 **SUMMARY**

16 This bill creates the crime of domestic violence aggravated assault, which a person
17 commits if the person commits aggravated assault, elevated aggravated assault or
18 elevated aggravated assault on a pregnant person and the victim is a family or household
19 member. This bill also makes a violation of a protection from abuse order a Class C
20 crime if the person has 2 or more prior convictions for violating a protection from abuse
21 order.