

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 18

H.P. 19

House of Representatives, January 2, 2019

### **An Act To Ensure Proper Prosecution of Crimes Involving Domestic Violence and Enhance Protection of Victims of Domestic Violence**

(EMERGENCY)

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

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

ROBERT B. HUNT  
Clerk

Presented by Representative RECKITT of South Portland.  
Cosponsored by Senator CARPENTER of Aroostook and  
Representatives: BAILEY of Saco, COREY of Windham, FAY of Raymond, McCREIGHT of  
Harpwell, PERRY of Calais, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of  
Gorham.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** to ensure the necessary and proper prosecution of crimes in the State  
4 involving domestic violence and to enhance the protection of victims of domestic  
5 violence from their abusers, this legislation must take effect immediately; and

6           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
7 the meaning of the Constitution of Maine and require the following legislation as  
8 immediately necessary for the preservation of the public peace, health and safety; now,  
9 therefore,

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

11           **Sec. 1. 17-A MRSA §§208-D, 208-E and 208-F** are enacted to read:

12 **§208-D. Domestic violence aggravated assault**

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

14           **A. The person violates section 208; and**

15           **B. The victim is a family or household member as defined in Title 19-A, section**  
16 **4002, subsection 4.**

17           **2. Violation of this section is a Class B crime.**

18 **§208-E. Domestic violence elevated aggravated assault**

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

20           **A. The person violates section 208-B; and**

21           **B. The victim is a family or household member as defined in Title 19-A, section**  
22 **4002, subsection 4.**

23           **2. Violation of this section is a Class A crime.**

24 **§208-F. Domestic violence elevated aggravated assault on pregnant person**

25           **1. A person is guilty of domestic violence elevated aggravated assault on a pregnant**  
26 **person if:**

27           **A. The person violates section 208-C; and**

28           **B. The victim is a family or household member as defined in Title 19-A, section**  
29 **4002, subsection 4.**

30           **2. Violation of this section is a Class A crime.**

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

