

MAINE STATE LEGISLATURE

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Date: 6/16/21

(Filing No. H-689)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT " " to H.P. 593, L.D. 788, "An Act To Align the Preconviction and Post-conviction Discretionary Deductions for Time Served"

Amend the bill by inserting after section 4 the following:

'Sec. 5. 17-A MRSA §2102, sub-§1, ¶F, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

F. The right to participate at sentencing pursuant to section 2104; and

Sec. 6. 17-A MRSA §2102, sub-§1, ¶F-1 is enacted to read:

F-1. The final disposition of the charges against the defendant, including the amount of deductions to time served that a defendant has accumulated as of the date of sentencing. On or before the date of sentencing, the attorney for the State shall obtain information about the deductions to time served from each correctional facility at which a defendant was detained prior to sentencing on the relevant charges; and

Sec. 7. 17-A MRSA §2305, sub-§4, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

4. Additional deduction when warranted for crime committed on or after August 1, 2004 and before October 1, 2021. An individual may receive a deduction of up to 2 days per calendar month in addition to the day-for-day deduction provided pursuant to subsection 1 if:

A. The individual commits a crime on or after August 1, 2004 and before October 1, 2021 and is sentenced to a term of imprisonment for that crime; and

B. The individual is entitled to a day-for-day deduction pursuant to subsection 1 and the individual's conduct during that period of detention is such that the additional deduction is determined to be warranted in the discretion of the chief administrative officer of the facility in which the individual has been detained.

Deductions under this subsection must be calculated as follows for partial calendar months:

Days of partial month Maximum deduction available

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 788

LR 247(02)

An Act To Align the Preconviction and Post-conviction Discretionary Deductions for Time Served

Fiscal Note for Bill as Amended by Committee Amendment *A (H-689)*

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium savings - General Fund

Fiscal Detail and Notes

Increasing the discretionary deduction for time served and making the discretionary deduction the same for preconviction and postconviction will decrease the number of days certain individuals are incarcerated, reducing correctional costs. The amount of savings realized as a result of this bill will depend on how many individuals receive a deduction for time served who otherwise would not have and cannot be determined at this time. The current average cost of incarcerating an individual for one day in a correctional facility is \$151.24, totaling \$55,203 per year.