

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 803

S.P. 117

In Senate, March 5, 2021

An Act Regarding Violation of a Protective Order

Submitted by the Criminal Law Advisory Commission pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DESCHAMBAULT of York.

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

2 **Sec. 1. 19-A MRSA §4011, sub-§4**, as enacted by PL 2001, c. 420, §2, is amended
3 to read:

4 **4. Reckless conduct; assault.** A defendant who violates a protective order issued
5 pursuant to section 4007 or an order that is similar to a protective order pursuant to section
6 4007 issued by a court of the United States or of another state, territory, commonwealth or
7 tribe through conduct that is reckless and that creates a substantial risk of death or serious
8 bodily injury to the plaintiff named in the protective order or who assaults the plaintiff
9 named in the protective order commits a Class C crime.

10 **SUMMARY**

11 Under current law a person who violates a protective order issued by a Maine court
12 through conduct that is reckless and that creates a substantial risk of death or serious bodily
13 injury to the person named in the protective order or who assaults that person commits a
14 Class C crime. This bill extends the prohibited conduct to a violation of an order that is
15 similar to a protective order and that is issued by a court of the United States or of another
16 state, territory, commonwealth or tribe.