

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1408

S.P. 458

In Senate, April 12, 2021

**An Act To Increase the Protection of Children from Domestic Abuse
and Violence**

Received by the Secretary of the Senate on April 8, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 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 DIAMOND of Cumberland.
Cosponsored by Senators: DESCHAMBAULT of York, POULIOT of Kennebec,
Representative: WHITE of Waterville.

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

2 **Sec. 1. 17-A MRSA §208-D, sub-§1, ¶C**, as enacted by PL 2019, c. 412, §2, is
3 amended to read:

4 C. Violates section 208, subsection 1, paragraph B and the victim is a family or
5 household member as defined in Title 19-A, section 4002, subsection 4. Violation of
6 this paragraph is a Class B crime; ~~or~~

7 **Sec. 2. 17-A MRSA §208-D, sub-§1, ¶D**, as enacted by PL 2019, c. 412, §2, is
8 amended to read:

9 D. Violates section 208, subsection 1, paragraph C and the victim is a family or
10 household member as defined in Title 19-A, section 4002, subsection 4. Violation of
11 this paragraph is a Class B crime; or

12 **Sec. 3. 17-A MRSA §208-D, sub-§1, ¶E** is enacted to read:

13 E. Violates section 207-A, subsection 1, paragraph A in the presence of a child who
14 has not attained 14 years of age. Violation of this paragraph is a Class C crime.

15 **SUMMARY**

16 This bill elevates the crime of domestic violence assault to domestic violence
17 aggravated assault if the assault is committed in the presence of a child under 14 years of
18 age.