

# MAINE STATE LEGISLATURE

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L.D. 1552

Date: 3-24-22

(Filing No. H-830)

MAJORITY

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1157, L.D. 1552, "An Act To Provide Reentry Services to Persons Reentering the Community after Incarceration"

Amend the bill by striking out the title and substituting the following:

**'An Act Concerning Violations of Conditions of Release under the Maine Bail Code'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 15 MRSA §1092, sub-§1**, as amended by PL 2005, c. 449, §2, is further amended to read:

**1. Violation of condition of release.** A defendant who has been granted preconviction or postconviction bail and who, in fact, violates a condition of release is guilty of:

A. A Class E crime if the condition of release violated is one specified in section 1026, subsection 3, paragraph A, subparagraph (5), (8), (10-A) or (13); or

B. A Class C crime if the underlying crime was punishable by a maximum period of imprisonment of one year or more and the condition of release violated is one specified in section 1026, subsection 3, paragraph A, subparagraph (5), (8), (10-A) or (13).'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment changes the title of and replaces the bill. Under the current Maine Bail Code, a defendant who has been granted preconviction or postconviction bail and who violates any condition of release is guilty of the Class E crime of violation of a condition of release. This amendment provides that such a defendant is guilty of the Class E crime of violation of a condition of release only if the condition of release violated required the defendant to:

**COMMITTEE AMENDMENT**

ROS

COMMITTEE AMENDMENT "A" to H.P. 1157, L.D. 1552

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1. Avoid all contact with a victim of the alleged crime, with a potential witness regarding the alleged crime or with any family or household members of the victim or the defendant or to contact those individuals only at certain times or under certain conditions;
2. Refrain from possessing a firearm or other dangerous weapon;
3. Enter and remain in a long-term residential facility for the treatment of substance use disorder; or
4. Return to custody for specified hours following release for employment, schooling or other limited purposes.

**FISCAL NOTE REQUIRED**  
**(See attached)**

**COMMITTEE AMENDMENT**



# 130th MAINE LEGISLATURE

LD 1552

LR 25(02)

**An Act To Provide Reentry Services to Persons Reentering the Community after Incarceration**

**Fiscal Note for Bill as Amended by Committee Amendment *A (H-830)***

**Committee: Criminal Justice and Public Safety**

**Fiscal Note Required: Yes**

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## Fiscal Note

Potential current biennium savings - County Jails

### Fiscal Detail and Notes

This bill limits incarceration for violating a condition of release to only certain conditions of release and could result in fewer individuals incarcerated in county jails.