

MAINE STATE LEGISLATURE

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Date *5-15-2023* *Minority* (Filing No H-140)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P 72, L D 104, "An Act to Make It a Crime Not to Report a Death"

Amend the bill by striking out the title and substituting the following
'An Act to Make Failure to Report a Death a Civil Violation'

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

'Sec. 1. 22 MRSA c. 712 is enacted to read

CHAPTER 712

FAILURE TO REPORT A DEATH

§3041. Failure to report a death

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings

A "Emergency medical services person" has the same meaning as in Title 32, section 83, subsection 12

B "Law enforcement officer" has the same meaning as in Title 17-A, section 2, subsection 17

2. Violation. A person may not fail to report a death A person fails to report a death if that person observes or has reason to know of the death of another person under circumstances in which a reasonable person would believe that the other person is deceased and fails to notify a law enforcement officer, emergency medical services person or other appropriate authority by the quickest means of communication possible under the circumstances

COMMITTEE AMENDMENT

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3. Penalty. A person who violates subsection 2 commits a civil violation for which a fine of not more than \$500 may be adjudged.'

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

SUMMARY

This amendment is the minority report of the committee. It replaces the bill, which is a concept draft, and changes the title. It provides that a person commits a civil violation for which a fine of not more than \$500 may be adjudged if that person observes or has reason to know of the death of another person under circumstances in which a reasonable person would believe that the other person is deceased and fails to inform the proper authorities by the quickest means of communication possible under the circumstances.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 104

LR 757(02)

An Act to Make It a Crime Not to Report a Death

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

(H-140)

Fiscal Note

Minor cost increase - General Fund

Minor revenue increase - General Fund

Minor revenue increase - Other Special Revenue Funds

Correctional and Judicial Impact Statements

Establishes new civil violations

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time

The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts