

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 548

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H.P. 353

House of Representatives, February 9, 2023

### An Act to Amend the Duties of County Sheriffs

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative COSTAIN of Plymouth.  
Cosponsored by Senator HICKMAN of Kennebec and  
Representatives: CRAY of Palmyra, MORRIS of Turner, QUINT of Hodgdon, SAMPSON of  
Alfred, Senator: GUERIN of Penobscot.

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

2 **Sec. 1. 30-A MRSA §401, sub-§1**, as amended by PL 2005, c. 397, Pt. A, §29, is  
3 repealed and the following enacted in its place:

4 **1. Sheriff's duties.** The sheriff's duties are as follows. The sheriff is:

5 A. The chief law enforcement officer of the county in which the sheriff serves and is a  
6 constitutional officer under the Constitution of Maine, Article IX, Section 10;

7 B. Responsible for administering and directing the sheriff's department as authorized  
8 by the county budget for the county in which the sheriff serves;

9 C. The department head of the sheriff's department, which consists of law enforcement,  
10 corrections, civil and court security with duties as follows.

11 (1) The law enforcement division is responsible for answering emergency and  
12 nonemergency calls, patrolling rural communities, investigating crimes,  
13 conducting traffic-related enforcement and working in conjunction with the county  
14 it serves.

15 (2) The corrections division is responsible for housing pretrial detainees and  
16 sentenced inmates who have been convicted of a Class A, B or C crime and  
17 sentenced to a term of imprisonment of 9 months or less or convicted of a Class D  
18 or E crime and sentenced to a term of imprisonment of 364 days or less.

19 (3) The civil division is responsible for serving civil subpoenas and other court-  
20 related documents within the county it serves, including, but not limited to,  
21 documents related to family matters, civil suits and forcible entry and detainer; and

22 D. Responsible for informing the county commissioners of sheriff's department  
23 activities on a regular basis.

24 **SUMMARY**

25 This bill clarifies and expands the duties of sheriffs.