

# MAINE STATE LEGISLATURE

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L.D. 1034

Date: 4-26-23

(Filing No. H-69)

**JUDICIARY**

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

COMMITTEE AMENDMENT "A" to H.P. 670, L.D. 1034, "An Act to Require That Service of a Temporary Protection Order Be Attempted Within 48 Hours from the Issuance of the Order"

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

'Sec. 1. 19-A MRSA §4114, sub-§11, as enacted by PL 2021, c. 647, Pt. A, §3 and affected by Pt. B, §65, is amended to read:

**11. Service of protection from abuse order.** Every law enforcement agency shall adopt a written policy on the service of protection from abuse orders that directs that every order issued under this chapter is served on the subject of the order as quickly as possible, including that service of every temporary, emergency or interim order issued under this chapter must be attempted within 48 hours after receiving notice of that order from the court. Service of a protection from abuse order that is not in compliance with a policy adopted under this subsection does not affect the validity of the service or the order.'

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

**SUMMARY**

This amendment replaces the bill. The amendment requires every law enforcement agency to adopt a written policy requiring that service of every temporary, emergency or interim protection from abuse order be attempted within 48 hours after the agency receives notice of that order from the court. Unlike the bill, it also clarifies that failure of the law enforcement agency to attempt service within 48 hours does not affect the validity of the service or the order.

**COMMITTEE AMENDMENT**