

MAINE STATE LEGISLATURE

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Date 5/31/23 Minority

L D 1560
(Filing No H- 26)

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 1005, L D 1560, "An Act to Remove the Duty of an Individual Exercising Self-defense to Safely Retreat or Abstain from Performing Certain Acts upon Demand"

Amend the bill by inserting after section 1 the following

'Sec. 2. 17-A MRSA §108, sub-§4 is enacted to read

4. A person who is otherwise justified under this section in using nondeadly or deadly force against another in an encounter is not required to retreat from the encounter, or to consider whether the person can retreat from the encounter with complete safety, if the person is in the person's dwelling place and was not the initial aggressor.

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

SUMMARY

This amendment, which is the minority report of the committee, clarifies that a person who is otherwise justified under the self-defense provisions of the Maine Criminal Code in using nondeadly or deadly force against another in an encounter is not required to retreat from the encounter before using that force, or to consider whether the person can retreat from the encounter with complete safety, if the person is in the person's dwelling place and was not the initial aggressor

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 1560

LR 1398(02)

An Act to Remove the Duty of an Individual Exercising Self-defense to Safely Retreat or Abstain from Performing Certain Acts upon Demand

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Criminal Justice and Public Safety

Fiscal Note Required: No

A. (H-261)

Fiscal Note

No fiscal impact