

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

STATE OF MAINE  
130<sup>TH</sup> LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON JUDICIARY**

December 2021

**MEMBERS:**

SEN. ANNE M. CARNEY, CHAIR  
SEN. HEATHER B. SANBORN  
SEN. LISA M. KEIM

REP. THOM HARNETT, CHAIR  
REP. CHRISTOPHER W. BABBIDGE  
REP. JOYCE MCCREIGHT\*  
REP. BARBARA A. CARDONE\*  
REP. LOIS GALGAY RECKITT  
REP. STEPHEN W. MORIARTY  
REP. ERIN R. SHEEHAN  
REP. DAVID G. HAGGAN  
REP. LAUREL D. LIBBY\*  
REP. JENNIFER L. POIRIER  
REP. JAMES F. THORNE\*  
REP. JEFFREY EVANGELOS  
REP. RENA D. NEWELL

**STAFF:**

MARGARET REINSCH, SR. LEGISLATIVE ANALYST  
SAM SENFT, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/opla/>

\*Committee member for a portion of the session

## JOINT STANDING COMMITTEE ON JUDICIARY

Chapter 397 revises the list of factors a judicial officer considers when setting preconviction bail; although the judicial officer is still required to consider the defendant's past conduct, chapter 397 eliminates the consideration of any history of substance use disorder. It also adds three new factors to be considered by the judicial officer:

1. Whether the defendant is the person primarily responsible for the care of another person;
2. Whether the defendant has a specific health care need, including a mental health care need, that is being met or would be better met outside of custody; and
3. Whether being placed or remaining in custody would prevent the defendant from maintaining employment.

Chapter 397 also requires a judicial officer to state the reason for the amount of any financial condition the judicial officer imposes.

### **LD 1730 An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine**

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 293 corrects inconsistencies, conflicts and errors in Maine's laws.

Public Law 2021, chapter 293 was enacted as an emergency measure effective June 21, 2021.