



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 18

H.P. 19

House of Representatives, January 2, 2019

**An Act To Ensure Proper Prosecution of Crimes Involving Domestic
Violence and Enhance Protection of Victims of Domestic Violence**

(EMERGENCY)

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative RECKITT of South Portland.
Cosponsored by Senator CARPENTER of Aroostook and
Representatives: BAILEY of Saco, COREY of Windham, FAY of Raymond, McCREIGHT of
Harpwell, PERRY of Calais, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of
Gorham.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** to ensure the necessary and proper prosecution of crimes in the State
4 involving domestic violence and to enhance the protection of victims of domestic
5 violence from their abusers, this legislation must take effect immediately; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore,

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

11 **Sec. 1. 17-A MRSA §§208-D, 208-E and 208-F** are enacted to read:

12 **§208-D. Domestic violence aggravated assault**

13 **1. A person is guilty of domestic violence aggravated assault if:**

14 **A. The person violates section 208; and**

15 **B. The victim is a family or household member as defined in Title 19-A, section**
16 **4002, subsection 4.**

17 **2. Violation of this section is a Class B crime.**

18 **§208-E. Domestic violence elevated aggravated assault**

19 **1. A person is guilty of domestic violence elevated aggravated assault if:**

20 **A. The person violates section 208-B; and**

21 **B. The victim is a family or household member as defined in Title 19-A, section**
22 **4002, subsection 4.**

23 **2. Violation of this section is a Class A crime.**

24 **§208-F. Domestic violence elevated aggravated assault on pregnant person**

25 **1. A person is guilty of domestic violence elevated aggravated assault on a pregnant**
26 **person if:**

27 **A. The person violates section 208-C; and**

28 **B. The victim is a family or household member as defined in Title 19-A, section**
29 **4002, subsection 4.**

30 **2. Violation of this section is a Class A crime.**

31 **Sec. 2. 19-A MRSA §4011, sub-§5** is enacted to read:

