

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Laws Pertaining to Refusing To Submit to Arrest or Detention

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

Sec. 1. 17-A MRSA §751-A, as amended by PL 2001, c. 128, §1, is repealed.

Sec. 2. 17-A MRSA §751-B is enacted to read:

§ 751-B. Refusing to submit to arrest or detention

1. A person is guilty of refusing to submit to arrest or detention if, with the intent to hinder, delay or prevent a law enforcement officer from effecting the arrest or detention of that person, the person:

A. Refuses to stop on request or signal of a law enforcement officer. Violation of this paragraph is a Class E crime;

B. Uses physical force against the law enforcement officer. Violation of this paragraph is a Class D crime; or

C. Creates a substantial risk of bodily injury to the law enforcement officer. Violation of this paragraph is a Class D crime.

2. It is a defense to prosecution under this section that the person reasonably believed that the person attempting to effect the arrest or detention was not a law enforcement officer. It is a defense to prosecution under subsection 1, paragraph A that the law enforcement officer acted unlawfully in attempting to effect the arrest or detention.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS - STATE BOARD OF

State Board of Corrections Investment Fund Z087

Initiative: Appropriates funds for the incremental costs associated with one projected incarceration in a county jail.

GENERAL FUND	2009-10	2010-11
All Other	\$2,959	\$2,959
GENERAL FUND TOTAL	\$2,959	\$2,959

CORRECTIONS - STATE BOARD OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$2,959	\$2,959
DEPARTMENT TOTAL - ALL FUNDS	\$2,959	\$2,959

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Provides funds for court-appointed counsel.

GENERAL FUND	2009-10	2010-11
All Other	\$350	\$350
GENERAL FUND TOTAL	\$350	\$350

JUDICIAL DEPARTMENT DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$350	\$350
DEPARTMENT TOTAL - ALL FUNDS	\$350	\$350

SECTION TOTALS	2009-10	2010-11
GENERAL FUND	\$3,309	\$3,309
SECTION TOTAL - ALL FUNDS	\$3,309	\$3,309

Effective September 12, 2009