



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

---

Legislative Document

No. 524

---

H.P. 368

House of Representatives, February 9, 2017

### An Act To Amend the Laws on Domestic Violence

---

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 Representatives: COREY of Windham, DENNO of Cumberland, HERRICK of Paris, TALBOT ROSS of Portland, WARREN of Hallowell, Senators: BELLOWS of Kennebec, DESCHAMBAULT of York.

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

2 **Sec. 1. 17-A MRSA §208-D** is enacted to read:

3 **§208-D. Domestic violence aggravated assault**

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

5 A. The person violates section 208 and the victim is a family or household member  
6 as defined in Title 19-A, section 4002, subsection 4. Violation of this paragraph is a  
7 Class B crime; or

8 B. The person violates section 208-B or 208-C and the victim is a family or  
9 household member as defined in Title 19-A, section 4002, subsection 4. Violation of  
10 this paragraph is a Class A crime.

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

12 **5. Repeat violations.** A person who commits a violation under subsection 1 and has  
13 2 or more prior convictions under subsection 1 or has 2 or more prior convictions for  
14 engaging in substantially similar conduct in another jurisdiction commits a Class C crime.

15 **SUMMARY**

16 This bill creates the crime of domestic violence aggravated assault, which a person  
17 commits if the person commits aggravated assault, elevated aggravated assault or  
18 elevated aggravated assault on a pregnant person and the victim is a family or household  
19 member. This bill also makes a violation of a protection from abuse order a Class C  
20 crime if the person has 2 or more prior convictions for violating a protection from abuse  
21 order.