

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

—
S.P. 109 - L.D. 801

**An Act Regarding Sentencing Options for a Person Convicted of a Crime
Committed While Serving a Term of Imprisonment**

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

Sec. 1. 17-A MRSA §755, sub-§1-E, as amended by PL 2019, c. 113, Pt. C, §62, is further amended by amending the first blocked paragraph to read:

A sentence imposed for a violation of this section is subject to the requirements of section ~~1609~~ 1609-A.

Sec. 2. 17-A MRSA §1609, as enacted by PL 2019, c. 113, Pt. A, §2, is repealed.

Sec. 3. 17-A MRSA §1609-A is enacted to read:

§1609-A. Discretionary sentence

Notwithstanding section 1608, when an individual subject to an undischarged term of imprisonment is convicted of a crime committed while in execution of any term of imprisonment, is convicted of a crime committed during a stay of execution of any term of imprisonment, is convicted of a crime committed after failure to report after a stay of execution of any term of imprisonment or is convicted of failure to report as ordered after a stay of execution of any term of imprisonment, the court may order that the sentence is not concurrent with any undischarged term of imprisonment. If the court orders that the sentence is not concurrent, the court may order that any undischarged term of imprisonment be tolled and service of the nonconcurrent sentence commence immediately, and the court shall so order if any undischarged term of imprisonment is a split sentence. No portion of the nonconcurrent sentence may be suspended. Any nonconcurrent sentence that the convicted individual receives as a result of an order entered pursuant to this section must be nonconcurrent with all other sentences.