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**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1237, L.D. 1729, Bill, “An Act To Increase the Period of Time for the Calculation of a Prior Conviction for Operating under the Influence”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 29-A MRSA §2402, first ¶**, as amended by PL 1995, c. 368, Pt. AAA, §6, is further amended to read:

For purposes of this chapter, a prior conviction or action has occurred within the 10-year period if the date of the action or the date of ~~the docket entry of conviction~~ the sentence is imposed is 10 years or less from the date of the new conduct.

**Sec. 2. 29-A MRSA §2411, sub-§1-A, ¶D**, as amended by PL 2011, c. 159, §1, is further amended to read:

- D. Violates paragraph A, B or C and:
  - (1) In fact causes serious bodily injury as defined in Title 17-A, section 2, subsection 23 to another person;
  - (1-A) In fact causes the death of another person; or
  - (2) Has either a prior conviction for a Class B or Class C crime under this section or former Title 29, section 1312-B or a prior criminal homicide conviction involving or resulting from the operation of a motor vehicle while under the influence of intoxicating liquor or drugs or with an alcohol level of 0.08 grams or more of alcohol per 100 milliliters of blood or 210 liters of breath. For purposes of this subparagraph, the 10-year limitation specified in section 2402 and Title 17-A, subsection 9-A, subsection 3 does not apply to the prior criminal homicide conviction or to a prior conviction for a Class B or Class C crime under this section or former Title 29, section 1312-B. The convictions may have occurred at any time.

**COMMITTEE AMENDMENT**

