MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 760

H.P. 569

House of Representatives, February 4, 1997

An Act to Increase Penalties for Subsequent Violations of the Laws Prohibiting Indecent Conduct.

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

JOSEPH W. MAYO, Clerk

Presented by Representative WHEELER of Bridgewater. Cosponsored by Representatives: JONES of Greenville, JOY of Crystal, O'NEAL of Limestone.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 17-A MRSA §854, sub-§3, as amended by PL 1995, c. 72,
4	\$2, is further amended to read:
6	3. Indecent conduct is a Class E crime, except as provided in paragraphs A and B.
8	
10	A. Indecent conduct is a Class C crime if the defendant has 2 or more prior convictions for violation of this section or section 256. For purposes of this paragraph, the dates of
12	the prior convictions may not precede the commission of the offense by more than 10 years, although the prior
14	convictions may have occurred on the same date. The date of a conviction is deemed to be the date that sentence is
16	imposed, even though an appeal is taken. The date of commission of the offense being enhanced is presumed to be
18	that date stated in the complaint, information or indictment, notwithstanding the use of the words "on or
20	about" or the equivalent.
22	B. Indecent conduct is a Class D crime if the defendant has been previously convicted of violating this section or
24	section 256.
26	
28	SUMMARY

In current law, indecent conduct is a Class E crime. This bill creates 3 different classes for the offense of indecent conduct. If a person has 2 or more prior convictions, it is a Class C crime. If a person has been previously convicted of violating this section or section 256, it is a Class D crime. Any other charge of indecent conduct is a Class E crime.