

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 722

H.P. 528

House of Representatives, February 14, 2003

An Act To Protect Children 14 and 15 Years of Age from Sexual Contact with Adults

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SMITH of Monmouth.
Cosponsored by Representatives: BRUNO of Raymond, CRAVEN of Lewiston, DUPLESSIE of Westbrook, MAKAS of Lewiston, RICHARDSON of Brunswick, Senators: BENNETT of Oxford, SAWYER of Penobscot, TREAT of Kennebec.

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

Sec. 1. 17-A MRSA §254, sub-§1, ¶¶D and E, as enacted by PL 2001, c. 383, §21 and affected by §156, are amended to read:

D. The person violates paragraph C and the actor knows that the student is related to the actor within the 2nd degree of consanguinity. Violation of this paragraph is a Class D crime; ~~or~~

E. The person violates paragraph C and the actor is at least 10 years older than the student. Violation of this paragraph is a Class D crime; ~~or~~ or

Sec. 2. 17-A MRSA §254, sub-§1, ¶F is enacted to read:

F. The person intentionally subjects another person, not the actor's spouse, who is either 14 or 15 years of age to any sexual contact and the actor is at least 10 years older than the other person. Violation of this paragraph is a Class D crime.

Sec. 3. 17-A MRSA §254, sub-§2, as amended by PL 2001, c. 383, §21 and affected by §156, is further amended to read:

2. It is a defense to a prosecution under subsection 1, paragraphs A, A-1 ~~and~~, A-2 and F, that the actor reasonably believed the other person is at least 16 years of age.

SUMMARY

This bill criminalizes intentional sexual contact with a person who is either 14 or 15 years of age who is not the actor's spouse when the actor is at least 10 years older than the other person. This form of sexual abuse of a minor is a Class D crime. It is a defense to a prosecution for the new crime that the actor reasonably believed the other person to be at least 16 years of age.