

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 332

H.P. 232

House of Representatives, February 3, 2025

**An Act to Establish Mandatory Minimum Sentences for Gross
Sexual Assaults Against Children and Aggravated Sex Trafficking
of Children**

Received by the Clerk of the House on January 30, 2025. Referred to the Committee on
Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GREENWOOD of Wales.
Cosponsored by Senator BICKFORD of Androscoggin and
Representatives: CLUCHEY of Bowdoinham, HENDERSON of Rumford, LAVIGNE of
Berwick, POIRIER of Skowhegan, RUDNICKI of Fairfield, THORNE of Carmel, WHITE of
Guilford, Senator: HARRINGTON of York.

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

2 **Sec. 1. 17-A MRSA §253-A, sub-§2**, as enacted by PL 2019, c. 113, Pt. B, §14, is
3 amended to read:

4 **2. ~~Any term of years~~ Gross sexual assault against individual not yet 12 years of**
5 **age; mandatory sentence alternative.** If the State pleads and proves that a crime under
6 section 253 was committed against an individual who had not yet attained 12 years of age,
7 the court, notwithstanding any provision of law to the contrary, shall impose a definite term
8 of imprisonment ~~for any term~~ of not less than 25 years, none of which may be suspended.
9 In determining the basic term of imprisonment as the first step in the sentencing process
10 specified in section 1602, subsection 1, paragraph A, the court shall select a definite term
11 of ~~at least 20~~ not less than 25 years, none of which may be suspended. The court shall also
12 impose as part of the sentence a period of supervised release to immediately follow that
13 definite term of imprisonment as mandated by section 1881, subsection 1.

14 **Sec. 2. 17-A MRSA §253-A, sub-§2-A** is enacted to read:

15 **2-A. Gross sexual assault against individual not yet 12 years of age; repeat**
16 **offenders; mandatory sentence alternative.** If the State pleads and proves that a crime
17 under section 253 was committed against an individual who had not yet attained 12 years
18 of age and that the defendant had previously been convicted and sentenced for committing
19 gross sexual assault, formerly denominated as gross sexual misconduct, or rape against an
20 individual who had not yet attained 12 years of age or that the defendant had previously
21 been convicted and sentenced for engaging in substantially similar conduct in another
22 jurisdiction against an individual who had not yet attained 12 years of age, the court,
23 notwithstanding any provision of law to the contrary, shall impose a term of imprisonment
24 for life.

25 **Sec. 3. 17-A MRSA §1604, sub-§2, ¶B**, as enacted by PL 2019, c. 113, Pt. A, §2,
26 is amended to read:

27 B. If the State pleads and proves that the defendant is a repeat sexual assault offender,
28 the court may set a definite term of imprisonment under section 253-A, subsection 1
29 for any term of years; ~~and~~

30 **Sec. 4. 17-A MRSA §1604, sub-§2, ¶C**, as enacted by PL 2019, c. 113, Pt. A, §2,
31 is amended to read:

32 C. In the case of the Class A crime of gross sexual assault against an individual who
33 had not yet attained 12 years of age, the court shall set a definite term of imprisonment
34 under section 253-A, subsection 2 ~~for any term~~ of not less than 25 years, none of which
35 may be suspended; and

36 **Sec. 5. 17-A MRSA §1604, sub-§2, ¶D** is enacted to read:

37 D. In the case of the Class A crime of aggravated sex trafficking for which the State
38 pleads and proves that the defendant knowingly promoted prostitution of a person who
39 had not yet attained 12 years of age, the court shall set a definite term of imprisonment
40 of not less than 25 years, none of which may be suspended.

1

SUMMARY

2 This bill provides that if the State pleads and proves that a gross sexual assault was
3 committed against an individual who had not yet attained 12 years of age, the court is
4 required to impose a definite term of imprisonment of not less than 25 years, none of which
5 may be suspended. It also provides that, in the case of a gross sexual assault committed
6 against an individual who had not yet attained 12 years of age when the defendant had
7 previously been convicted and sentenced for committing gross sexual assault, formerly
8 denominated as gross sexual misconduct, or rape against an individual who had not yet
9 attained 12 years of age or that the defendant had previously been convicted and sentenced
10 for engaging in substantially similar conduct in another jurisdiction against an individual
11 who had not yet attained 12 years of age, the court is required to instead impose a term of
12 imprisonment for life. It also provides that, in the case of aggravated sex trafficking for
13 which the State pleads and proves that the defendant knowingly promoted prostitution of a
14 person who had not yet attained 12 years of age, the court is required to set a definite term
15 of imprisonment of not less than 25 years, none of which may be suspended.