

MAINE STATE LEGISLATURE

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L.D. 1805

Date: 6/16/25

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MAJORITY
JUDICIARY

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STATE OF MAINE
SENATE
132ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 705, L.D. 1805, "An Act to Establish a Post-conviction Review Process for Crimes Committed by Victims of Sex Trafficking and Sexual Exploitation"

Amend the bill by striking out the title and substituting the following:

'An Act to Establish a Post-judgment Review Process for Crimes Committed by Victims of Sex Trafficking and Sexual Exploitation'

Amend the bill in section 1 in c. 312 in the headnote in the first line (page 1, line 4 in L.D.) by striking out the following: "POST-CONVICTION REVIEW" and inserting the following: "POST-JUDGMENT MOTION FOR RELIEF"

Amend the bill in section 1 in c. 312 in §2402 by striking out all of subsection 2 (page 2, lines 23 to 28 in L.D.).

Amend the bill in section 1 in c. 312 in §2402 in subsection 3 in the 2nd line (page 2, line 30 in L.D.) by striking out the following: "reverse" and inserting the following: "nullify"

Amend the bill in section 1 in c. 312 in §2402 in subsection 3 in the 4th line (page 2, line 32 in L.D.) by striking out the following: "post-conviction review" and inserting the following: "post-judgment"

Amend the bill in section 1 in c. 312 in §2402 by renumbering the subsections to read consecutively.

Amend the bill in section 1 in c. 312 in §2403 in subsection 1 in the 3rd line (page 2, line 38 in L.D.) by striking out the following: "reversed" and inserting the following: "nullified"

Amend the bill in section 1 in c. 312 in §2403 in subsection 2 in the first line (page 3, line 1 in L.D.) by striking out the following: "reverse" and inserting the following: "nullify"

Amend the bill in section 1 in c. 312 in §2403 by striking out all of subsection 3 (page 3, lines 4 to 8 in L.D.).

COMMITTEE AMENDMENT

1 Amend the bill in section 1 in c. 312 in §2403 in subsection 4 in the last line (page 3,
2 line 13 in L.D.) by inserting after the following: "offices." the following: "The State shall
3 make all reasonable attempts to notify all victims in the underlying matter about the
4 motion."

5 Amend the bill in section 1 in c. 312 in §2403 by striking out all of subsection 6 (page
6 3, lines 17 to 21 in L.D.).

7 Amend the bill in section 1 in c. 312 in §2403 by striking out all of subsection 7 (page
8 3, lines 22 to 25 in L.D.).

9 Amend the bill in section 1 in c. 312 in §2403 by renumbering the subsections to read
10 consecutively.

11 Amend the bill in section 1 in c. 312 in §2404 by striking out all of subsection 1 (page
12 4, lines 16 to 25 in L.D.) and inserting the following:

13 '1. Relief. If the person who filed a motion under section 2403 or on whose behalf the
14 motion was filed has established by a preponderance of the evidence that the person has
15 been a victim of sex trafficking or sexual exploitation and that the commission of the crime
16 for which relief is sought under this chapter was a substantial result of the sex trafficking
17 or sexual exploitation, that person is entitled to nullification of the judgment of conviction.'

18 Amend the bill by inserting after section 2 the following:

19 **'Sec. 3. Appropriations and allocations.** The following appropriations and
20 allocations are made.

21 **ATTORNEY GENERAL, DEPARTMENT OF THE**

22 **District Attorneys Salaries 0409**

23 Initiative: Provides Personal Services funding for 2 Assistant District Attorney positions
24 within the counties.

25 GENERAL FUND	2025-26	2026-27
26 POSITIONS - LEGISLATIVE COUNT	0.000	2.000
27 Personal Services	\$0	\$380,984
28		
29 GENERAL FUND TOTAL	<u>\$0</u>	<u>\$380,984</u>

30 **Human Services Division 0696**

31 Initiative: Provides funding for one Victim Advocate position and related costs to handle
32 new post-judgment review process for crimes committed by victims of sex trafficking and
33 sexual exploitation.

34 GENERAL FUND	2025-26	2026-27
35 POSITIONS - LEGISLATIVE COUNT	0.000	1.000
36 Personal Services	\$0	\$134,112
37 All Other	\$0	\$6,000
38		
39 GENERAL FUND TOTAL	<u>\$0</u>	<u>\$140,112</u>

40
41 **ATTORNEY GENERAL, DEPARTMENT OF THE**

DEPARTMENT TOTALS	2025-26	2026-27
GENERAL FUND	\$0	\$521,096
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$521,096

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Establishes one Judge position, one Deputy Marshal position and one Assistant Clerk position and provides funding for related All Other costs.

GENERAL FUND	2025-26	2026-27
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$385,791	\$402,799
All Other	\$37,780	\$15,930
GENERAL FUND TOTAL	\$423,571	\$418,729

**JUDICIAL DEPARTMENT
DEPARTMENT TOTALS**

GENERAL FUND	2025-26	2026-27
GENERAL FUND	\$423,571	\$418,729
DEPARTMENT TOTAL - ALL FUNDS	\$423,571	\$418,729

SECTION TOTALS

GENERAL FUND	2025-26	2026-27
GENERAL FUND	\$423,571	\$939,825
SECTION TOTAL - ALL FUNDS	\$423,571	\$939,825

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment changes the title of the bill and creates a process for a person who has been convicted of one or more offenses in which a final criminal judgment has been entered to file a written motion in the underlying criminal proceeding seeking to have the criminal judgment nullified rather than reversed as in the bill.

FISCAL NOTE REQUIRED

(See attached)

**132nd MAINE LEGISLATURE****LD 1805****LR 2178(02)****An Act to Establish a Post-conviction Review Process for Crimes Committed by Victims of Sex Trafficking and Sexual Exploitation****Fiscal Note for Bill as Amended by Committee Amendment "A" (S-407)****Committee: Judiciary****Fiscal Note Required: Yes**

Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Net Cost (Savings)				
General Fund	\$423,571	\$939,825	\$975,734	\$1,044,579
Appropriations/Allocations				
General Fund	\$423,571	\$939,825	\$975,734	\$1,044,579

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Judicial Department of \$423,571 in fiscal year 2025-26 and \$418,729 in fiscal year 2026-27 to establish one Judge position, one Deputy Marshal position and one Assistant Clerk position to manage the anticipated substantial increase in new court filings resulting from individuals with final criminal judgements being permitted to file written motions to nullify those judgements.

The bill includes a General Fund appropriation to the Office of the Attorney General of \$521,096 in fiscal year 2026-27 for Personal Services funding for 2 Assistant District Attorney positions within the counties and one Victim Advocate position and related costs to handle new post-judgment review process for crimes committed by victims of sex trafficking and sexual exploitation.