

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1483

H.P. 1015

House of Representatives, April 10, 1991

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative PARADIS of Augusta.

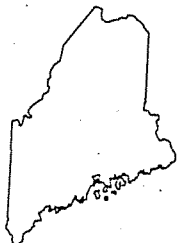
Cosponsored by Senator GAUVREAU of Androscoggin, Representative DUPLESSIS of Old Town and Representative FARNSWORTH of Hallowell.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Remove the Statute of Limitations for Incest and Gross Sexual Assault.

(AFTER DEADLINE)



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

2
3 Sec. 1. 17-A MRSA §8, sub-§1, as amended by PL 1981, c. 470,
4 Pt. A, §37, is further amended to read:

6 1. It is a defense that prosecution was commenced after the
7 expiration of the applicable period of limitations provided in
8 this section; provided that a prosecution for murder or criminal
9 homicide in the first or 2nd degree, or, if the victim has not
10 attained the age of 16 years at the time of the crime, gross
11 sexual assault or incest, may be commenced at any time.

12
13 Sec. 2. 17-A MRSA §8, sub-§2, as amended by PL 1981, c. 470,
14 Pt. A, §38, is further amended to read:

16 2. Prosecutions for crimes other than murder or criminal
17 homicide in the first or 2nd degree, or, if the victim has not
18 attained the age of 16 years at the time of the crime, gross
19 sexual assault or incest, are subject to the following periods of
20 limitations:

22 A. A prosecution for a Class A, Class B or Class C crime
23 must be commenced within 6 years after it is committed; and

24 B. A prosecution for a Class D or Class E crime must be
25 commenced within 3 years after it is committed.

28
29
30 **STATEMENT OF FACT**

32 This bill eliminates the statute of limitations for the
33 criminal prosecution of the crimes of gross sexual assault and
34 incest if the victim of the crime was not at least 16 years of
35 age at the time the crime was committed.
36