

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2269

H.P. 1607

House of Representatives, January 30, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Judiciary suggested and ordered printed.

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

EDWIN H. PERT, Clerk

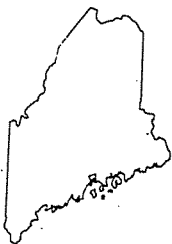
Presented by Representative OTT of York.

Cosponsored by Representative LAWRENCE of Kittery and Representative HICHENS of Eliot.

STATE OF MAINE

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

**An Act to Establish Consecutive Sentencing and Mandatory Minimum
Sentences for Certain Persons Convicted of Gross Sexual Assault.**



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

2
4 **Sec. 1. 17-A MRSA §1252, sub-§5-B** is enacted to read:

6 5-B. Notwithstanding any other provision of this Code, for
8 a person who has previously been convicted of violating section
10 253, who is convicted of a subsequent violation of section 253,
12 the minimum sentence of imprisonment, which may not be suspended,
14 is as follows: When the sentencing class is Class A, the minimum
16 term of imprisonment is 10 years; when the sentencing class is
18 Class B, the minimum term of imprisonment is 7 years; and when
20 the sentencing class is Class C, the minimum term of imprisonment
22 is 5 years.

24 **Sec. 2. 17-A MRSA §1256, sub-§1-B** is enacted to read:

26 1-B. Other provisions of this section notwithstanding, when
28 a person subject to an undischarged term of imprisonment for a
30 violation of section 253 is convicted of a subsequent violation
 of section 253, the sentence runs consecutively to the
 undischarged term of imprisonment. No portion of this sentence
 may be suspended.

STATEMENT OF FACT

 This bill establishes mandatory minimum sentences for repeat
offenders convicted of gross sexual assault. The bill also
specifies that when a person subject to a term of imprisonment
for a violation of gross sexual assault is convicted of another
violation of that crime, the sentences run consecutively.