

MAINE STATE LEGISLATURE

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R. of S.

L.D. 171

DATE: 4/27/95

(Filing No. H- 171)

MINORITY
CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 123, L.D. 171, Bill, "An Act to Increase the Penalty for Child Sexual Abuse Committed within 1,000 Feet of a School"

Amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

This bill increases the penalty for a violation of this crime from a Class D to a Class C, resulting in a shift of costs from the counties to the State. Sentences of more than 12 months for Class C crimes must be served in a state correctional institution at the cost of \$45,584 per sentence based on an average length of stay of one year and 9 months. Sentences of 12 months or less for a Class C crime and all sentences for a Class D crime must be served in a county jail. The State must reimburse counties for housing Class C crime offenders but does not provide reimbursement for Class D offenders.

The Judicial Department may require additional General Fund appropriations to cover increased indigent defense costs related to these cases when the class of crime is increased. The amounts can not be estimated at this time. The collection of additional fines may also increase General Fund revenue by minor amounts.'

COMMITTEE AMENDMENT

R. of S.

STATEMENT OF FACT

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This amendment is the minority report and adds a fiscal note to the bill.

The Department of Corrections has prepared the following correctional impact statement for the original bill pursuant to the Maine Revised Statutes, Title 34-A, section 1402: "L.D. 171, An Act to Increase the Penalty for Child Sexual Abuse Committed within 1,000 Feet of a School, would create a new Class C offense, aggravated sexual abuse of minors. Sentences imposed for Class C offenses of more than 12 months must be served in a state correctional facility. Looking at sentences served for Class C offenses, the average length of stay was found to be about one year and 9 months. The projected average cost per sentence for a Class C offense is \$48,584. The state also pays a portion of the cost of sentences served in county jails for 12 months or less in this class."