

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 437

H.P. 316

House of Representatives, February 6, 1995

An Act to Protect Minors from Child Molestation.

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CAMERON of Rumford.
Cosponsored by Representatives: BIGL of Bucksport, CAMPBELL of Holden, CHICK of Lebanon, DiPIETRO of South Portland, FARNUM of South Berwick, FISHER of Brewer, GUERRETTE of Pittston, HARTNETT of Freeport, HEINO of Boothbay, JONES of Pittsfield, KEANE of Old Town, LEMONT of Kittery, LOOK of Jonesboro, LUMBRA of Bangor, MITCHELL of Vassalboro, MURPHY of Berwick, NADEAU of Saco, NASS of Acton, REED of Dexter, RICE of South Bristol, STEDMAN of Hartland, TOWNSEND of Portland, VIGUE of Winslow, Senator: CIANCHETTE of Somerset.

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

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Sec. 1. 17-A MRSA §253, sub-§1, ¶B, as repealed and replaced by PL 1989, c. 401, Pt. A, §4, is amended to read:

B. The other person, not the actor's spouse, has not in fact attained the age of ~~14~~ 16 years.

Sec. 2. 17-A MRSA §254, sub-§1, ¶A, as amended by PL 1989, c. 401, Pt. A, §5, is further amended to read:

A. Having attained the age of ~~19~~ 21 years, the person engages in a sexual act with another person, not the actor's spouse, who has attained the age of ~~14~~ 16 years but has not attained the age of ~~16~~ 18 years, provided that the actor is at least 5 years older than the other person.

Sec. 3. 17-A MRSA §254, sub-§2, as amended by PL 1985, c. 495, §10, is further amended to read:

2. It is a defense to a prosecution under subsection 1, paragraph A, that the actor reasonably believed the other person to have attained ~~his-16th-birthday~~ the age of 18 years.

Sec. 4. 17-A MRSA §255, sub-§1, ¶C, as amended by PL 1989, c. 401, Pt. A, §6, is further amended to read:

C. The other person, not the actor's spouse, has not in fact attained the age of ~~14~~ 16 years and the actor is at least 3 years older;

STATEMENT OF FACT

This bill changes the age of the victims of sex offenses to protect victims.

1. In the crime of gross sexual assault, the age of consent is increased from 14 to 16.

2. In the crime of sexual abuse of a minor, the age is raised from 16 to 18.

3. In the crime of unlawful sexual contact, the age is raised from 14 to 16.