

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 920

H.P. 668

House of Representatives, February 11, 1997

**An Act Criminalizing the Failure of One Parent to Report a Sexual
Assault or Exploitation of a Child by Another Parent.**

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative KERR of Old Orchard Beach.
Cosponsored by Senator MacKINNON of York and
Representatives: MARVIN of Cape Elizabeth, MURPHY of Kennebunk, TOWNSEND of
Portland, Senator: BENNETT of Oxford.

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

4 Sec. 1. 17-A MRSA §554-B is enacted to read:

6 §554-B. Failure to report sexual assault upon a child by a parent
or surrogate parent

8 1. As used in this section, unless the context otherwise
indicates, the following terms have the following meanings.

10 A. "Child" means a person who has not attained 18 years of
12 age.

14 B. "Sexually assaulted" means having engaged in conduct
defined as a crime in section 556 or chapter 11.

16 C. "Sexually exploited" means having engaged in conduct
18 defined as a crime in Title 17, section 2922.

20 2. A person is guilty of failure to report a sexual assault
upon a child by a parent or surrogate parent if that person,
22 being a parent, foster parent, guardian or other similar person
responsible for the long-term general care and welfare of a child
24 and knowing or having reasonable cause to suspect that another
parent, foster parent, guardian or other person responsible for
26 the long-term general care and welfare of that child has sexually
assaulted or sexually exploited that child fails to report, or
28 cause a report to be made, to the Department of Human Services.

30 3. Failure to report a sexual assault upon a child by a
parent or surrogate parent is a Class D crime.

32 **SUMMARY**

34
36 This bill makes it a Class D crime for a parent or surrogate
parent who knows of, or has reasonable cause to suspect, sexual
38 assault or exploitation of a child by another parent or surrogate
parent to fail to report or cause a report to be made to the
40 Department of Human Services.