

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2019

H.P. 1412

House of Representatives, March 24, 1999

**An Act to Remove the Statute of Limitations for Unlawful Sexual
Contact and Sexual Abuse of Minors.**

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 SAXL of Portland.
Cosponsored by Senator NUTTING of Androscoggin and
Representatives: CHIZMAR of Lisbon, McALEVEY of Waterboro, MUSE of South Portland,
O'BRIEN of Augusta, Senator: DAVIS of Piscataquis.

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

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Sec. 1. 17-A MRSA §8, sub-§1, as amended by PL 1991, c. 585, §1, is further amended to read:

1. It is a defense that prosecution was commenced after the expiration of the applicable period of limitations provided in this section; provided that a prosecution for murder or criminal homicide in the first or 2nd degree, or, if the victim had not attained the age of 16 years at the time of the crime, a prosecution for incest, rape or gross sexual assault, formerly denominated as gross sexual misconduct, or prosecutions for unlawful sexual contact or sexual abuse of a minor, or, if the victim had not attained the age of 18 at the time of the crime, prosecutions under section 254, subsection 1, paragraph C, may be commenced at any time.

Sec. 2. 17-A MRSA §8, sub-§2, as amended by PL 1991, c. 585, §2, is further amended to read:

2. Prosecutions for crimes other than murder or criminal homicide in the first or 2nd degree, or, if the victim had not attained the age of 16 years at the time of the crime, prosecutions for incest, rape or gross sexual assault, formerly denominated as gross sexual misconduct, or prosecutions for unlawful sexual contact or sexual abuse of a minor, or, if the victim had not attained the age of 18 at the time of the crime, prosecutions under section 254, subsection 1, paragraph C, are subject to the following periods of limitations:

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

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

SUMMARY

This bill eliminates the statute of limitations for criminal prosecution for unlawful sexual contact or sexual abuse of minors if the victim was under the age of 16, or 18 if the perpetrator was a school employee.