

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 125

H.P. 121

House of Representatives, January 11, 2001

**An Act to Specify That Possession of Sexually Explicit Materials by  
Way of the Internet is Criminal.**

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Reported by Representative POVICH for the Criminal Law Advisory Commission  
pursuant to Maine Revised Statutes, Title 17-A, section 1354, subsection 2.

Reference to the Joint Standing Committee on Criminal Justice suggested and printing  
ordered under Joint Rule 218.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

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

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Sec. 1. 17 MRSA §2924, sub-§2, as corrected by RR 1993, c. 2, §8, is amended to read:

2. **Offense.** A person is guilty of possession of sexually explicit material if that person intentionally or knowingly transports, exhibits, purchases or possesses any book, magazine, print, negative, slide, motion picture, videotape or other mechanically, electronically or chemically reproduced visual image or material that the person knows or should know depicts another person engaging in sexually explicit conduct, and:

- A. The other person has not in fact attained the age of 14 years; or
- B. The person knows or has reason to know that the other person has not attained the age of 14 years.

**SUMMARY**

This bill amends the Maine Revised Statutes, Title 17, section 2924, which establishes the crime of possession of sexually explicit materials, to expressly criminalize possession of sexually explicit materials that have come into a person's possession by way of the Internet. The amendment brings Title 17, section 2924 into conformity with changes previously made by Public Law 1999, chapter 444 to Title 17, section 2921, subsections 2 and 4 and Title 17, section 2923, subsections 1 and 2.