

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1969

H.P. 1468

House of Representatives, December 20, 2001

**An Act to Prohibit a Convicted Sexual Offender From Acquiring
Custody or Obtaining Visitation Rights Without Adult Supervision.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 17, 2001. Referred to the Committee on Criminal Justice pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative CARR of Lincoln. (By Request)
Cosponsored by President Pro Tem MICHAUD of Penobscot and
Representatives: ANNIS of Dover-Foxcroft, GOODWIN of Pembroke, McGLOCKLIN of
Emden, SHERMAN of Hodgdon, STANLEY of Medway, TREADWELL of Carmel,
Senators: DAVIS of Piscataquis, KILKELLY of Lincoln.

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

4 **Sec. 1. 19-A MRSA §1653, sub-§6-A** is enacted to read:

6 **6-A. Custody and contact limited; sex offender.**

8 Notwithstanding any other provision of this chapter, the court
10 may not award primary residence of a minor child to a sex
12 offender. The court may award parent-child contact with a minor
child to a sex offender only if there is another adult present to
supervise the contact. For purposes of this subsection, "sex
offender" has the same meaning as defined in Title 34-A, section
11203, subsection 5.

14 **Sec. 2. 19-A MRSA §1743** is enacted to read:

16 **§1743. Prohibited custody**

18 Notwithstanding any other provision of this chapter, the
20 court may not award custody of a minor child to a sex offender.
For purposes of this section, "sex offender" has the same meaning
as defined in Title 34-A, section 11203, subsection 5.

22 **Sec. 3. 19-A MRSA §1803, sub-§7** is enacted to read:

24 **7. Supervision required; sex offender.** Notwithstanding any
26 other provision of this chapter, the court may award a
28 grandparent who is a sex offender visitation with a minor
30 grandchild only if there is another adult present to supervise
the visitation. For purposes of this subsection, "sex offender"
has the same meaning as defined in Title 34-A, section 11203,
subsection 5.

34 **SUMMARY**

36 This bill prohibits a court from awarding custody of a minor
38 child to a person who is a convicted sex offender. The court may
40 award visitation with a minor child to a convicted sex offender
only if there is another adult present to supervise the
visitation.