

# MAINE STATE LEGISLATURE

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DATE: 4-12-05

(Filing No. H-125)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 181, L.D. 242, Bill, "An Act To Amend the Maine Juvenile Code"

Amend the amendment by striking out all of the 2nd, 3rd and 4th indented paragraphs after the title (page 1, lines 24 to 37 in amendment) and inserting in their place the following:

'Further amend the bill by striking out all of sections 4 and 5 and inserting in their place the following:

'Sec. 4. 15 MRSA §3105-A, sub-§1, as enacted by PL 1987, c. 222, §2, is amended to read:

1. **Expiration of limitation; defense.** It is a defense that prosecution was commenced after the expiration of the applicable period of limitations provided in this section, ~~provided except~~ that a prosecution for the juvenile crime of murder or criminal homicide in the first or 2nd degree may be commenced at any time. It is a defense that prosecution was commenced after the expiration of the applicable period of limitations provided in this section, except that if the victim had not attained 16 years of age at the time of the crime and the juvenile had attained 16 years of age, a prosecution for the juvenile crime of unlawful sexual contact under Title 17-A, former section 255 or section 255-A or gross sexual assault under Title 17-A, section 253 may be commenced at any time if the attorney for the State first presents evidence based on DNA, as defined in section 2136, to the court in a closed hearing that implicates the defendant in the crime by a preponderance of the evidence.





# 122nd MAINE LEGISLATURE

LD 242

LR 1856(04)

## An Act To Amend the Maine Juvenile Code

**Fiscal Note for House Amendment " " to Committee Amendment " "**

**Sponsor: Rep. Faircloth**

**Fiscal Note Required: Yes**

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### Fiscal Note

Minor savings - General Fund

### Correctional and Judicial Impact Statements

This amendment will reduce the number of new cases the committee amendment would have allowed. Overall, the bill as amended would continue to result in an increase in filings of the juvenile crime of unlawful sexual contact and gross sexual assault