

# 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)



# 122nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2006

---

Legislative Document

No. 1722

H.P. 1230

House of Representatives, January 3, 2006

---

**An Act To Expand the List of Prior Crimes That May Be  
Considered When Determining Whether a Person Is a Repeat  
Sexual Assault Offender**

---

Reported by Representative BLANCHETTE of Bangor for the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.

Received by the Clerk of the House on December 28, 2005. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

*Millicent M. MacFarland*  
MILLCENT M. MacFARLAND  
Clerk

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

4 **Sec. 1. 17-A MRSA §1252, sub-§4-B, ¶A,** as amended by PL 2003,  
5 c. 711, Pt. B, §19, is further amended to read:

6 A. As used in this section, "repeat sexual assault  
7 offender" means a person who commits a new gross sexual  
8 assault after having been convicted previously and sentenced  
9 for any of the following:

10 (1) Gross sexual assault, formerly denominated as  
11 gross sexual misconduct;

12 (2) Rape;

13 (3) Attempted murder accompanied by sexual assault;

14 (4) Murder accompanied by sexual assault; ~~or~~

15 (5) Conduct substantially similar to a crime listed in  
16 subparagraph (1), (2), (3) or (4) that is a crime under  
17 the laws of the United States or any other state; or

18 (6) A crime that was initially charged by an attorney  
19 for the State as gross sexual assault, gross sexual  
20 misconduct, rape, attempted murder accompanied by  
21 sexual assault or murder accompanied by sexual assault.

22 The date of sentencing is the date of the oral pronouncement  
23 of the sentence by the trial court, even if an appeal is  
24 taken.

25  
26  
27  
28  
29  
30  
31  
32  
33 **SUMMARY**

34  
35 This bill expands the list of prior crimes in the definition  
36 of "repeat sexual assault offender" to include offenses that were  
37 initially charged by the prosecuting attorney as gross sexual  
38 assault, gross sexual misconduct, rape, attempted murder  
39 accompanied by sexual assault or murder accompanied by sexual  
40 assault, but the conviction was for a different crime.