

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)

m

R

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Date: 6/11/17

L.D. 46

(Filing No. H-542)

Report B

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 44, L.D. 46, Bill, "An Act To Create Mandatory Minimum Sentences for Persons Convicted of Certain Sex Offenses against Victims under 12 Years of Age"

Amend the bill in section 2 in subsection 4-E in the 3rd line (page 1, line 11 in L.D.) by striking out the following: "at least" and inserting the following: 'not less than'

Amend the bill in section 3 by striking out all of subsection 4-F (page 1, lines 15 to 22 in L.D.) and inserting the following:

'4-F. If the State pleads and proves that a crime under section 253 was committed against a person who had not yet attained 12 years of age and that the defendant had previously been convicted and sentenced for committing gross sexual assault, formerly denominated as gross sexual misconduct, or rape, or had previously been convicted and sentenced for engaging in substantially similar conduct in another jurisdiction against a person who had not yet attained 12 years of age, the court, notwithstanding subsection 2, shall impose a term of imprisonment for life.'

SUMMARY

This amendment is one of 2 minority reports of the Joint Standing Committee on Criminal Justice and Public Safety. The amendment makes technical changes to conform to drafting standards.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 46

LR 129(02)

An Act To Create Mandatory Minimum Sentences for Persons Convicted of Certain Sex Offenses against Victims under 12 Years of Age

Fiscal Note for Bill as Amended by Committee Amendment "A "

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Correctional and Judicial Impact Statements

The bill adds an average 15 years to the current sentence for certain crimes against victims under 12.

The bill adds an average 24 years to the current sentence for previous convictions for certain crimes against victims under 12.

Fewer cases settled without trial increases court costs.

Fiscal Detail and Notes

This legislation establishes a mandatory minimum sentence of 25 years for persons convicted of certain sex offenses against victims under the age of 12 and, if the defendant had a previous conviction, a sentence of life imprisonment. The additional future cost to the state correctional facilities for one inmate is shown below. This legislation will also result in current costs for additional time requirements for judges, clerks, law clerks, security, court reporters and indigent defense. Since felony charges are given priority within the Judicial Branch, this legislation may delay other types of cases in the judicial system.

Correctional Costs

	Additional Years Added	Cost per Year for One Inmate	Extra Cost for One Full Sentence	Extra Cost Begins in Year
25 year sentence	15	\$38,018	\$570,270	11
Life for prior conviction	24	\$38,018	\$912,432	24