

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 149

H.P. 131

House of Representatives, January 12, 2007

An Act To Take into Account the Crime Committed That Facilitated a Sexual Assault

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CROCKETT of Augusta.
Cosponsored by Senator MITCHELL of Kennebec and
Representatives: CEBRA of Naples, GROSE of Woolwich, HASKELL of Portland,
ROBINSON of Raymond, SILSBY of Augusta, TIBBETTS of Columbia, TRINWARD of
Waterville, Senator: BRYANT of Oxford.

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

2 **Sec. 1. 17-A MRSA §1252, sub-§4-F** is enacted to read:

3 **4-F.** If the State pleads and proves that a Class B or C crime was committed with the
4 intent to facilitate a sexual assault under chapter 11, and the person is convicted of both
5 the offense that facilitated the offense under chapter 11 and the chapter 11 offense, the
6 sentencing class for the crime that facilitated the offense under chapter 11 is one class
7 higher than it would otherwise be. If the State pleads and proves that a Class A, B or C
8 crime was committed with the intent to facilitate a sexual assault under chapter 11, and
9 the person is convicted of both the offense that facilitated the offense under chapter 11
10 and the chapter 11 offense, the court shall sentence the person to serve the terms of
11 imprisonment consecutively.

12 **SUMMARY**

13 This bill amends the sentencing laws regarding terms of imprisonment by specifying
14 that if the State pleads and proves that a Class B or C crime was committed with the
15 intent to facilitate a sexual assault, and the person is convicted of both the offense that
16 facilitated the sexual assault and the sexual assault, the sentencing class for the crime that
17 facilitated the sexual assault is one class higher than it would otherwise be. The bill also
18 specifies that if the State pleads and proves that a Class A, B or C crime was committed
19 with the intent to facilitate a sexual assault, and the person is convicted of both the
20 offense that facilitated the sexual assault and the sexual assault, the court shall sentence
21 the person to serve the terms of imprisonment consecutively.