

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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

COMMITTEE AMENDMENT "A" to H.P. 1465, L.D. 2079, Bill, "An Act To Strengthen the Crime of Visual Sexual Aggression against a Child"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 17-A MRSA §256, sub-§1, as amended by PL 2005, c. 655, §1, is further amended to read:

- 1. A person is guilty of visual sexual aggression against a child if:
 - A. For the purpose of arousing or gratifying sexual desire or for the purpose of causing affront or alarm, the actor, having in fact attained 18 years of age, exposes the actor's genitals to another person or causes the other person to expose that person's genitals to the actor and the other person, not the actor's spouse, has not in fact attained 14 years of age. Violation of this paragraph is a Class D crime;
 - B. For the purpose of arousing or gratifying sexual desire, the actor, having in fact attained 18 years of age, exposes the actor's genitals to another person or causes the other person to expose that person's genitals to the actor and the other person, not the actor's spouse, has not in fact attained 12 years of age. Violation of this paragraph is a Class C crime;
 - C. For the purpose of arousing or gratifying sexual desire, the actor, having in fact attained 18 years of age, intentionally engages in visual surveillance, aided or unaided by mechanical or electronic equipment, of the uncovered breasts, buttocks, genitals, anus or pubic area of another person ~~in a private place~~, not the actor's spouse and not having in fact attained 14 years of age, under circumstances in which a reasonable person would expect to be safe from such visual surveillance. Violation of this paragraph is a Class D crime; or
 - D. For the purpose of arousing or gratifying sexual desire, the actor, having in fact attained 18 years of age, intentionally engages in visual surveillance, aided or unaided by mechanical or electronic equipment, of the uncovered breasts, buttocks,

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 2079

LR 2848(02)

An Act To Strengthen the Crime of Visual Sexual Aggression against a Child

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

Future biennium cost increase - General Fund

Correctional and Judicial Impact Statements

Minimal increase in Class C and D case-load. As it is estimated that this change will be relevant to a case approximately once every 17 years, no appropriation is included at this time.