

# MAINE STATE LEGISLATURE

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Date: 3/29/12

Minority

L.D. 1825  
(Filing No. H-856)

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**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1346, L.D. 1825, Bill, "An Act To Change the Statutes of Limitations on Prosecution for Crimes of Sexual Abuse and for Civil Actions for Sexual Abuse When the Actor Is a Person in a Position of Authority"

Amend the bill by striking out the title and substituting the following:

**'An Act To Change the Statutes of Limitations on Prosecution for Crimes of Sexual Abuse When the Actor Is a Psychiatrist, Psychologist or Licensed Social Worker'**

Amend the bill by striking out all of section 1.

Amend the bill by striking out all of section 3 and inserting the following:

**'Sec. 3. 17-A MRSA §8, sub-§2-A** is enacted to read:

2-A. A prosecution for a crime involving gross sexual assault under section 253, subsection 2, paragraph I or unlawful sexual contact under section 255-A, subsection 1, paragraph U or V must be commenced within 10 years after the crime is committed.

**Sec. 4. Application.** This Act applies to the following crimes in which the actor is or purports to be a psychiatrist, psychologist or licensed social worker at the time of the crime:

1. Gross sexual assault under the Maine Revised Statutes, Title 17-A, section 253, subsection 2, paragraph I and unlawful sexual contact under Title 17-A, section 255-A, subsection 1, paragraph U or V committed on or after the effective date of this Act; and

2. Gross sexual assault under the Maine Revised Statutes, Title 17-A, section 253, subsection 2, paragraph I and unlawful sexual contact under Title 17-A, section 255-A, subsection 1, paragraph U or V for which prosecution has not yet been barred by the previous statute of limitations in force on the effective date of this Act. '

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**COMMITTEE AMENDMENT**

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**SUMMARY**

This amendment is the minority report. It removes the provisions of the bill that eliminate the statute of limitations on civil actions based on sexual abuse by a person with authority.

It limits the application of the 10-year statute of limitations provided in the bill to the prosecution of cases involving gross sexual assault or unlawful sexual contact when the actor is or purports to be a psychiatrist, psychologist or licensed social worker.

**FISCAL NOTE REQUIRED**  
(See attached)



ROFS

# 125th MAINE LEGISLATURE

LD 1825

LR 2679(02)

**An Act To Change the Statutes of Limitations on Prosecution for Crimes of Sexual Abuse and for Civil Actions for Sexual Abuse When the Actor Is a Person in a Position of Authority**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (H-856)**  
**Committee: Criminal Justice and Public Safety**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund  
Minor revenue increase - General Fund

### Correctional and Judicial Impact Statements

Potential small increase in Class C and Class D crimes; increases correctional and judicial costs  
The collection of additional fines may also increase General Fund revenue by minor amounts.