

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1531

S.P. 593

In Senate, January 6, 2016

An Act To Protect Victims of Human Trafficking

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative HOBBS of Saco and

Senators: BURNS of Washington, LANGLEY of Hancock, Representatives: DAUGHTRY of Brunswick, WARREN of Hallowell.

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

2 **Sec. 1. 5 MRSA §4651, sub-§2, ¶C**, as amended by PL 2001, c. 134, §1, is
3 further amended to read:

4 C. A single act or course of conduct constituting a violation of section 4681; Title
5 17, section 2931; or Title 17-A, ~~sections~~ section 201, 202, 203, 204, 207, 208, 209,
6 210, 210-A, 211, 253, 301, 302, 303, 506-A, 511, 556, 802, 805 ~~or~~ 806 or 852.

7 **Sec. 2. 19-A MRSA §4005, sub-§1**, as amended by PL 2015, c. 339, §2, is
8 further amended to read:

9 **1. Filing.** An adult who has been abused by a family or household member or a
10 dating partner may seek relief by filing a complaint alleging that abuse.

11 When a minor child in the care or custody of a family or household member or a dating
12 partner has been abused by a family or household member or a dating partner, a person
13 responsible for the child, as defined in Title 22, section 4002, subsection 9, or a
14 representative of the department may seek relief by filing a petition alleging that abuse.

15 An adult who has been a victim of conduct defined as stalking in Title 17-A, section
16 210-A or described as sexual assault in Title 17-A, chapter 11 or described as
17 unauthorized dissemination of certain private images in Title 17-A, section 511-A or a
18 victim of aggravated sex trafficking as described in Title 17-A, section 852, whether or
19 not the conduct was perpetrated by a family or household member or dating partner, may
20 seek relief by filing a complaint alleging that conduct without regard to whether criminal
21 prosecution has occurred. When a minor has been a victim of such conduct, the minor's
22 parent, other person responsible for the child or a representative of the department may
23 seek relief by filing a petition alleging that conduct.

24 When an adult who is 60 years of age or older or a dependent adult, as defined in Title
25 22, section 3472, subsection 6, or an incapacitated adult, as defined in Title 22, section
26 3472, subsection 10, has been the victim of abuse as defined in section 4002, subsection 1
27 or Title 22, section 3472, subsection 1 by an extended family member or an unpaid care
28 provider, the adult victim, the adult victim's legal guardian or a representative of the
29 department may seek relief by filing a complaint alleging the abusive conduct. For the
30 purposes of this subsection, "extended family member" includes, but is not limited to: a
31 person who is related to the victim by blood, marriage or adoption, whether or not the
32 person resides or has ever resided with the victim. "Unpaid care provider" includes, but
33 is not limited to, a caretaker who voluntarily provides full, intermittent or occasional
34 personal care to the adult victim in the victim's home similar to the way a family member
35 would provide personal care.

36 **SUMMARY**

37 This bill provides that victims of aggravated sex trafficking are eligible to file for
38 protection from abuse orders and protection from harassment orders.