

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1834

H.P. 1305

House of Representatives, June 4, 2019

An Act Regarding Prostitution

Reported by Representative WARREN of Hallowell for the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Joint Order 2019, H.P. 1278.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

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

2 **Sec. 1. 17-A MRSA §853-A, sub-§1, ¶B,** as amended by PL 2007, c. 476, §29,
3 is further amended to read:

4 B. The person violates paragraph A and, at the time of the offense, the person has
5 one or more prior convictions under this section or for engaging in substantially
6 similar conduct to that contained in this section in another jurisdiction. Section 9-A
7 governs the use of prior convictions when determining a sentence, except that, for the
8 purposes of this paragraph, the date of the prior conviction may not precede the
9 commission of the offense by more than 2 years. Violation of this paragraph is a
10 Class ~~D~~ E crime.

11 **Sec. 2. 17-A MRSA 1902, sub-§6** is enacted to read:

12 6. A deferred disposition is a preferred disposition in a prosecution for engaging in
13 prostitution under section 853-A, subsection 1, paragraph B.

14 **SUMMARY**

15 This bill is being reported out by the Joint Standing Committee on Criminal Justice
16 and Public Safety pursuant to Joint Order 2019, H.P. 1278. Under the current law, the
17 crime of engaging in prostitution is a Class E crime, punishable by a fine only; the
18 penalty for a subsequent conviction that occurs within 2 years of a prior conviction for
19 engaging in prostitution is a Class D crime. This bill changes the penalty for a
20 subsequent conviction of engaging in prostitution that occurs within 2 years of the first
21 conviction to a Class E crime and specifies that a deferred disposition for subsequent
22 convictions is the preferred disposition.