

MAINE STATE LEGISLATURE

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STATE OF MAINE

SENATE

130TH LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 162, L.D. 813, "An Act To Increase the Penalty for Engaging in the Sex Trafficking of Children"

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

'An Act To Create the Crime of Aggravated Sex Trafficking of a Person 14 Years of Age or Younger'

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

'Sec. 1. 17-A MRSA §852, sub-§1, as amended by PL 2013, c. 407, §2, is further amended to read:

1. A person is guilty of aggravated sex trafficking if the person knowingly:

A. Promotes prostitution by compelling a person to enter into, engage in or remain in prostitution;

B. Promotes prostitution of a person ~~less than 18~~ 15, 16 or 17 years of age; or

C. Promotes prostitution of a person who suffers from a mental disability that is reasonably apparent or known to the actor and that in fact renders the other person substantially incapable of appraising the nature of the conduct involved.

Violation of this subsection is a Class B crime.

Sec. 2. 17-A MRSA §852, sub-§1-A is enacted to read:

1-A. A person is guilty of aggravated sex trafficking if the person knowingly promotes prostitution of a person 14 years of age or younger. Violation of this subsection is a Class A crime.

Sec. 3. 17-A MRSA §852, sub-§3, as amended by PL 2013, c. 407, §2, is repealed.'

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 replaces the bill. This amendment creates the Class A crime of aggravated sex trafficking of a person 14 years of age or younger. The amendment conforms the language of the new crime to the format of the Maine Criminal Code.

FISCAL NOTE REQUIRED
(See attached)



130th MAINE LEGISLATURE

LD 813

LR 932(02)

An Act To Increase the Penalty for Engaging in the Sex Trafficking of Children

Fiscal Note for Bill as Amended by Committee Amendment "A"(S32A)

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - General Fund

Correctional and Judicial Impact Statements

Elevates Class B crimes to Class A; increases correctional and judicial costs.

Fiscal Detail and Notes

The bill elevates from a Class B to a Class A the crime of aggravated sex trafficking if the person being trafficked is 14 years of age or younger. Class B crimes are punishable by up to 10 years incarceration while Class A crimes are punishable by up to 30 years incarceration. For each year an individual will now be incarcerated for this crime that they would not have been under current law, costs will increase to the Department of Corrections by \$55,203, which is the current average cost of incarcerating an individual for a single year. Assuming the maximum difference in sentences of 20 years, this would represent an additional \$1,104,060.