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An Act To Take into Account the Crime Committed That Facilitated a Sexual Assault

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

Sec. 1. 17-A MRSA §1252, sub-§4-F is enacted to read:

4-F. If the State pleads and proves that a Class B or C crime was committed with the intent to facilitate a sexual assault under chapter 11, and the person is convicted of both the offense that facilitated the offense under chapter 11 and the chapter 11 offense, the sentencing class for the crime that facilitated the offense under chapter 11 is one class higher than it would otherwise be. If the State pleads and proves that a Class A, B or C crime was committed with the intent to facilitate a sexual assault under chapter 11, and the person is convicted of both the offense that facilitated the offense under chapter 11 and the chapter 11 offense, the court shall sentence the person to serve the terms of imprisonment consecutively.

SUMMARY

This bill amends the sentencing laws regarding terms of imprisonment by specifying that if the State pleads and proves that a Class B or C crime was committed with the intent to facilitate a sexual assault, and the person is convicted of both the offense that facilitated the sexual assault and the sexual assault, the sentencing class for the crime that facilitated the sexual assault is one class higher than it would otherwise be. The bill also specifies that if the State pleads and proves that a Class A, B or C crime was committed with the intent to facilitate a sexual assault, and the person is convicted of both the offense that facilitated the sexual assault and the sexual assault, the court shall sentence the person to serve the terms of imprisonment consecutively.