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An Act To Amend the Laws Governing the Establishment of Residency for Convicted Sex Offenders after Release from Prison

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

Sec. 1. 17-A MRSA §261 is enacted to read:

§ 261. Residence or domicile prohibited

A person convicted of an offense under this chapter or chapter 12 may not intentionally or knowingly establish or maintain a residence or domicile in a municipality that does not have its own police department or other resident law enforcement agency or officer. A violation of this section is a Class D crime. For purposes of this section, "domicile" means the place where a person has that person's established, fixed, permanent or ordinary dwelling place or legal residence to which, whenever the person is absent, the person has the intention of returning. A person may have more than one residence but only one domicile. For purposes of this section, "residence" means that place or those places, other than a domicile, in which a person may spend time living, residing or dwelling.

Sec. 2. 34-A MRSA §1403, sub-§12 is enacted to read:

12. Payment for sex offender residence prohibited. Notwithstanding any other provision of this section or chapter, the commissioner may not use any department funds or resources or any other state funds or resources to pay housing costs for a person who has been convicted and sentenced for an offense under Title 17-A, chapter 11 or 12.

SUMMARY

This bill makes it a Class D crime for a person convicted of a sex offense under the Maine Revised Statutes, Title 17-A, chapter 11 or 12 to intentionally or knowingly establish or maintain a residence or domicile in a municipality that does not have its own police department or other resident law enforcement agency or officer.

This bill also prohibits the Commissioner of Corrections from using any Department of Corrections funds or resources or any other state funds or resources to pay housing costs for a person who has been convicted and sentenced for an offense under Title 17-A, chapter 11 or 12.