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Date: (Filing No. S-)

JUDICIARY

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**STATE OF MAINE
SENATE
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 705, L.D. 1805, “An Act to Establish a Post-conviction Review Process for Crimes Committed by Victims of Sex Trafficking and Sexual Exploitation”

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

'An Act to Establish a Post-judgment Review Process for Crimes Committed by Victims of Sex Trafficking and Sexual Exploitation'

Amend the bill in section 1 in c. 312 in the headnote in the first line (page 1, line 4 in L.D.) by striking out the following: "**POST-CONVICTION REVIEW**" and inserting the following: "**POST-JUDGMENT MOTION FOR RELIEF**"

Amend the bill in section 1 in c. 312 in §2402 by striking out all of subsection 2 (page 2, lines 23 to 28 in L.D.).

Amend the bill in section 1 in c. 312 in §2402 in subsection 3 in the 2nd line (page 2, line 30 in L.D.) by striking out the following: "reverse" and inserting the following: 'nullify'

Amend the bill in section 1 in c. 312 in §2402 in subsection 3 in the 4th line (page 2, line 32 in L.D.) by striking out the following: "post-conviction review" and inserting the following: 'post-judgment'

Amend the bill in section 1 in c. 312 in §2402 by renumbering the subsections to read consecutively.

Amend the bill in section 1 in c. 312 in §2403 in subsection 1 in the 3rd line (page 2, line 38 in L.D.) by striking out the following: "reversed" and inserting the following: 'nullified'

Amend the bill in section 1 in c. 312 in §2403 in subsection 2 in the first line (page 3, line 1 in L.D.) by striking out the following: "reverse" and inserting the following: 'nullify'

Amend the bill in section 1 in c. 312 in §2403 by striking out all of subsection 3 (page 3, lines 4 to 8 in L.D.).

COMMITTEE AMENDMENT

1 Amend the bill in section 1 in c. 312 in §2403 in subsection 4 in the last line (page 3,
 2 line 13 in L.D.) by inserting after the following: "offices." the following: 'The State shall
 3 make all reasonable attempts to notify all victims in the underlying matter about the
 4 motion.'

5 Amend the bill in section 1 in c. 312 in §2403 by striking out all of subsection 6 (page
 6 3, lines 17 to 21 in L.D.).

7 Amend the bill in section 1 in c. 312 in §2403 by striking out all of subsection 7 (page
 8 3, lines 22 to 25 in L.D.).

9 Amend the bill in section 1 in c. 312 in §2403 by renumbering the subsections to read
 10 consecutively.

11 Amend the bill in section 1 in c. 312 in §2404 by striking out all of subsection 1 (page
 12 4, lines 16 to 25 in L.D.) and inserting the following:

13 '1. Relief. If the person who filed a motion under section 2403 or on whose behalf the
 14 motion was filed has established by a preponderance of the evidence that the person has
 15 been a victim of sex trafficking or sexual exploitation and that the commission of the crime
 16 for which relief is sought under this chapter was a substantial result of the sex trafficking
 17 or sexual exploitation, that person is entitled to nullification of the judgment of conviction.'

18 Amend the bill by inserting after section 2 the following:

19 '**Sec. 3. Appropriations and allocations.** The following appropriations and
 20 allocations are made.

21 **ATTORNEY GENERAL, DEPARTMENT OF THE**

22 **District Attorneys Salaries 0409**

23 Initiative: Provides Personal Services funding for 2 Assistant District Attorney positions
 24 within the counties.

25 GENERAL FUND	2025-26	2026-27
26 POSITIONS - LEGISLATIVE COUNT	0.000	2.000
27 Personal Services	\$0	\$380,984
28		
29 GENERAL FUND TOTAL	\$0	\$380,984

30 **Human Services Division 0696**

31 Initiative: Provides funding for one Victim Advocate position and related costs to handle
 32 new post-judgment review process for crimes committed by victims of sex trafficking and
 33 sexual exploitation.

34 GENERAL FUND	2025-26	2026-27
35 POSITIONS - LEGISLATIVE COUNT	0.000	1.000
36 Personal Services	\$0	\$134,112
37 All Other	\$0	\$6,000
38		
39 GENERAL FUND TOTAL	\$0	\$140,112

40
 41 **ATTORNEY GENERAL, DEPARTMENT OF THE**

1	DEPARTMENT TOTALS	2025-26	2026-27
2			
3	GENERAL FUND	\$0	\$521,096
4			
5	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$521,096
6	JUDICIAL DEPARTMENT		
7	Courts - Supreme, Superior and District 0063		
8	Initiative: Establishes one Judge position, one Deputy Marshal position and one Assistant Clerk position and provides funding for related All Other costs.		
9			
10	GENERAL FUND	2025-26	2026-27
11	POSITIONS - LEGISLATIVE COUNT	3.000	3.000
12	Personal Services	\$385,791	\$402,799
13	All Other	\$37,780	\$15,930
14			
15	GENERAL FUND TOTAL	\$423,571	\$418,729
16			
17	JUDICIAL DEPARTMENT		
18	DEPARTMENT TOTALS	2025-26	2026-27
19			
20	GENERAL FUND	\$423,571	\$418,729
21			
22	DEPARTMENT TOTAL - ALL FUNDS	\$423,571	\$418,729
23			
24	SECTION TOTALS	2025-26	2026-27
25			
26	GENERAL FUND	\$423,571	\$939,825
27			
28	SECTION TOTAL - ALL FUNDS	\$423,571	\$939,825

29 '
 30 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
 31 number to read consecutively.

SUMMARY

33 This amendment changes the title of the bill and creates a process for a person who has
 34 been convicted of one or more offenses in which a final criminal judgment has been entered
 35 to file a written motion in the underlying criminal proceeding seeking to have the criminal
 36 judgment nullified rather than reversed as in the bill.

FISCAL NOTE REQUIRED

(See attached)