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Date: (Filing No. H- )

**JUDICIARY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1248, L.D. 1877, “An Act to Increase Penalties for Human Trafficking Offenses”

Amend the bill by striking out all of section 2.

Amend the bill in section 3 in subsection 1-A in the 3rd and 4th lines (page 1, lines 32 and 33 in L.D.) by striking out the following: "a period of imprisonment of not less than 20 years and not more than 30 years and for which a" and inserting the following: ', in addition to any other authorized penalties, a'

Amend the bill by striking out all of sections 4 to 9 and inserting the following:

**'Sec. 4. 17-A MRSA §853, sub-§1**, as amended by PL 2023, c. 316, §6, is further amended to read:

- 1.** A person is guilty of sex trafficking if:
  - A. The person knowingly promotes prostitution. Violation of this paragraph is a Class ~~D~~ C crime for which, in addition to any other authorized penalties, a fine of \$10,000 for an individual and \$20,000 for an organization must be adjudged; or
  - B. The person violates paragraph A and has 2 or more prior convictions in this State for any combination of the Maine offenses listed in this paragraph or for engaging in substantially similar conduct to that of the Maine offenses listed in this paragraph in another jurisdiction. The Maine offenses are any violation of this section or section 852, 853-B or 855 or attempts to commit any of these crimes. Section 9-A governs the use of prior convictions when determining a sentence. Violation of this paragraph is a Class ~~E~~ B crime for which, in addition to any other authorized penalties, a fine of \$25,000 for an individual and \$50,000 for an organization must be adjudged.

**Sec. 5. Mandated reporter curriculum review and update.** The Department of Health and Human Services shall convene a working group to review the department-approved training that mandated reporters must complete at least once every 4 years pursuant to the Maine Revised Statutes, Title 22, section 4011-A, subsection 9 and shall invite representatives of child advocacy centers, community-based agencies with expertise

**COMMITTEE AMENDMENT**

1 working with sexually exploited children and a statewide coalition of sexual assault centers  
2 to participate in the working group. The department shall report the working group's  
3 findings and recommendations to the joint standing committee of the Legislature having  
4 jurisdiction over health and human services matters by February 15, 2027. The joint  
5 standing committee may report out legislation related to the subject matter of the report to  
6 the 133rd Legislature in 2027.'

7 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
8 number to read consecutively.

9 **SUMMARY**

10 This amendment, which is the minority report of the committee, removes the provisions  
11 of the bill that establish mandatory minimum jail sentences and mandatory restitution for  
12 persons convicted of sex trafficking or aggravated sex trafficking. The amendment retains  
13 the provisions of the bill that increase from a Class D crime to a Class C crime a first  
14 offense of sex trafficking and increase from a Class C crime to a Class B crime a 3rd or  
15 subsequent sex trafficking offense. The amendment also retains the provisions of the bill  
16 that impose mandatory fines for sex trafficking and aggravated sex trafficking offenses and  
17 that increase the amount a person convicted of sex trafficking or aggravated sex trafficking  
18 must pay to the Victims' Compensation Fund.

19 The amendment further replaces the provision of the bill requiring certain professionals  
20 to receive human trafficking awareness training every 2 years and instead directs the  
21 Department of Health and Human Services to convene a working group to review the  
22 department-approved training that mandated reporters must complete at least once every 4  
23 years pursuant to the Maine Revised Statutes, Title 22, section 4011-A, subsection 9. The  
24 department must report the working group's findings and recommendations to the joint  
25 standing committee of the Legislature having jurisdiction over health and human services  
26 matters by February 15, 2027. The joint standing committee may report out legislation  
27 related to the subject matter of the report to the 133rd Legislature in 2027.

28 **FISCAL NOTE REQUIRED**

29 **(See attached)**