



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 580

S.P. 172

In Senate, February 15, 2011

An Act To Protect Children from Sexual Predators

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Representative PLUMMER of Windham and
Senator: GERZOFKY of Cumberland, Representatives: BURNS of Whiting, CLARKE of
Bath, HASKELL of Portland, SANDERSON of Chelsea.

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

2 **Sec. 1. 17-A MRSA §284, sub-§1, ¶A**, as amended by PL 2005, c. 345, §1, is
3 further amended to read:

4 A. Intentionally or knowingly transports, exhibits, purchases ~~or~~, possesses or
5 accesses with intent to view any book, magazine, newspaper, print, negative, slide,
6 motion picture, computer data file, videotape or other mechanically, electronically or
7 chemically reproduced visual image or material that the person knows or should
8 know depicts another person engaging in sexually explicit conduct, and:

- 9 (1) The other person has not in fact attained 16 years of age; or
10 (2) The person knows or has reason to know that the other person has not
11 attained 16 years of age.

12 Violation of this paragraph is a Class D crime;

13 **Sec. 2. 17-A MRSA §284, sub-§1, ¶C**, as enacted by PL 2003, c. 711, Pt. B,
14 §12, is amended to read:

15 C. Intentionally or knowingly transports, exhibits, purchases ~~or~~, possesses or
16 accesses with intent to view any book, magazine, newspaper, print, negative, slide,
17 motion picture, computer data file, videotape or other mechanically, electronically or
18 chemically reproduced visual image or material that the person knows or should
19 know depicts another person engaging in sexually explicit conduct, and:

- 20 (1) The other person has not in fact attained 12 years of age; or
21 (2) The person knows or has reason to know that the other person has not
22 attained 12 years of age.

23 Violation of this paragraph is a Class C crime; or

24 **SUMMARY**

25 This bill adds accessing with the intent to view sexually explicit material involving a
26 child under 16 years of age to the offense of possession of sexually explicit material.