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JUDICIARY

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

COMMITTEE AMENDMENT “ ” to H.P. 1303, L.D. 1944, “An Act to Protect Children and Adults from Technology-facilitated Sexual Abuse”

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

'An Act to Protect Individuals from the Threatened Unauthorized Dissemination of Certain Private Images, Including Artificially Generated Private Images'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §4651, sub-§2, as amended by PL 2017, c. 455, §1, is further amended to read:

2. Harassment. "Harassment" means:

A. Three or more acts of intimidation, confrontation, physical force or the threat of physical force directed against any person, family or business that are made with the intention of causing fear, intimidation or damage to personal property and that do in fact cause fear, intimidation or damage to personal property; or

C. A single act or course of conduct constituting a violation of section 4681; Title 17, section 2931; or Title 17-A, section 201, 202, 203, 204, 207, 208, 209, 210, 210-A, 211, 253, 254, 255-A, 256, 258, 259-A, 259-B, 260, 261, 282, 283, 301, 302, 303, 506, 506-A, 511, 511-A, 556, 802, 805, 806, 852 or 853-; or

D. Communicating to a person a threat to commit, or to cause to be committed, a crime of unauthorized dissemination of certain private images as described in Title 17-A, section 511-A, consciously disregarding a substantial risk that the natural and probable consequence of such a threat is to place the person who is depicted or who appears to be depicted in the image in reasonable fear that the crime will be committed.

This definition does not include any act protected by law.

Sec. 2. 17-A MRSA §511-A, sub-§1, as enacted by PL 2015, c. 339, §1, is amended to read:

1 person, intentionally or knowingly disseminates, displays or publishes an image that has
2 been created or modified so that it appears to show the depicted person in a state of nudity
3 or engaged in a sexual act or engaged in sexual contact.

4 3. It expands the definition of "harassment" under the protection from harassment laws
5 and the definition of "abuse" under the protection from abuse laws to allow a person to seek
6 a protection order against another person who threatens to commit the crime of
7 unauthorized dissemination of certain private images if the natural and probable
8 consequence of the threat is to place the person who is depicted or who appears to be
9 depicted in the image in reasonable fear that the crime will be committed.

10 **FISCAL NOTE REQUIRED**

11 **(See attached)**