

## STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FOURTEEN

—  
H.P. 1359 - L.D. 1863

**An Act To Correct an Error in the Laws To Assist Victims of Human  
Trafficking**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** Public Law 2013, chapter 537 took effect April 10, 2014; and

**Whereas,** the purpose of Public Law 2013, chapter 537 is to help victims of human trafficking; and

**Whereas,** Public Law 2013, chapter 537 increases assessments on persons promoting sex trafficking, with the increased assessments made available to victims of sex trafficking through the Victims' Compensation Fund; and

**Whereas,** Public Law 2013, chapter 537 does not correctly impose an assessment for the Victims' Compensation Fund on persons engaging a prostitute, but instead imposes the assessment on victims of sex trafficking; and

**Whereas,** this error needs to be corrected as soon as possible; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 5 MRSA §3360-I, first ¶,** as amended by PL 2013, c. 537, §4, is further amended to read:

As part of the sentence or fine imposed, the court shall impose an assessment of \$35 on any person convicted of murder, a Class A crime, a Class B crime or a Class C crime and \$20 on any person convicted of a Class D crime or a Class E crime, except that the court shall impose an assessment of \$1,000 on any person convicted of aggravated sex

trafficking as described in Title 17-A, section 852, an assessment of \$500 on any person convicted of sex trafficking as described in Title 17-A, section 853, an assessment of \$500 on any person for the first conviction and \$1,000 for each subsequent conviction of engaging ~~in prostitution~~ a prostitute as described in Title 17-A, section ~~853-A~~ 853-B and an assessment of \$500 on any person for the first conviction and \$1,000 for each subsequent conviction of patronizing prostitution of a minor or patronizing prostitution of a mentally disabled person as described in Title 17-A, section 855. Notwithstanding any other law, the court may not waive the imposition of the assessment required by this section. For purposes of collection and collection procedures, this assessment is considered part of the fine. At the time of commitment, the court shall inform the Department of Corrections or the county sheriff of any unpaid balances on assessments owed by the offender to the Victims' Compensation Fund. All funds collected as a result of these assessments accrue to the Victims' Compensation Fund.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.