

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.).

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

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

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

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

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

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

Amend the bill by inserting after section 2 the following:

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

ATTORNEY GENERAL, DEPARTMENT OF THE

District Attorneys Salaries 0409

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

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

Human Services Division 0696

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

| GENERAL FUND | 2025-26 | 2026-27 |
|-------------------------------|----------------|------------------|
| POSITIONS - LEGISLATIVE COUNT | 0.000 | 1.000 |
| Personal Services | \$0 | \$134,112 |
| All Other | \$0 | \$6,000 |
| GENERAL FUND TOTAL | \$0 | \$140,112 |

ATTORNEY GENERAL, DEPARTMENT OF THE

| | | |
|-------------------------------------|----------------|------------------|
| DEPARTMENT TOTALS | 2025-26 | 2026-27 |
| GENERAL FUND | \$0 | \$521,096 |
| DEPARTMENT TOTAL - ALL FUNDS | \$0 | \$521,096 |

JUDICIAL DEPARTMENT**Courts - Supreme, Superior and District 0063**

Initiative: Establishes one Judge position, one Deputy Marshal position and one Assistant Clerk position and provides funding for related All Other costs.

| | | |
|-------------------------------|------------------|------------------|
| GENERAL FUND | 2025-26 | 2026-27 |
| POSITIONS - LEGISLATIVE COUNT | 3.000 | 3.000 |
| Personal Services | \$385,791 | \$402,799 |
| All Other | \$37,780 | \$15,930 |
| GENERAL FUND TOTAL | \$423,571 | \$418,729 |

**JUDICIAL DEPARTMENT
DEPARTMENT TOTALS**

| | | |
|-------------------------------------|------------------|------------------|
| GENERAL FUND | 2025-26 | 2026-27 |
| GENERAL FUND | \$423,571 | \$418,729 |
| DEPARTMENT TOTAL - ALL FUNDS | \$423,571 | \$418,729 |

SECTION TOTALS

| | | |
|----------------------------------|------------------|------------------|
| GENERAL FUND | 2025-26 | 2026-27 |
| GENERAL FUND | \$423,571 | \$939,825 |
| SECTION TOTAL - ALL FUNDS | \$423,571 | \$939,825 |

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

SUMMARY

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

FISCAL NOTE REQUIRED

(See attached)