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An Act To Allow Municipalities To Designate Safe Zones To Protect Children from Sex Offenders

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

Sec. 1. 17-A MRSA §251, sub-§1, ¶F, as enacted by PL 1997, c. 768, §1, is amended to read:

F. "Safe children zone" means on or within 1,000 feet of the real property comprising a public or private elementary or secondary school or on or within 1,000 feet of the real property comprising a day care center licensed pursuant to Title 22, section 8301-A or on or within any area designated as a safe zone by a municipality pursuant to Title 30-A, section 3253.

Sec. 2. 17-A MRSA §253, sub-§7, as enacted by PL 1997, c. 768, §2, is repealed.

Sec. 3. 17-A MRSA §261 is enacted to read:

§ 261. Aggravating sentencing factor

If the State pleads and proves that a violation of any provision of this chapter was committed in a safe children zone, the court, in determining the appropriate sentence, shall treat this as an aggravating sentencing factor.

Sec. 4. 17-A MRSA §281, sub-§3-A is enacted to read:

3-A. Safe children zone. "Safe children zone" means on or within 1,000 feet of the real property comprising a public or private elementary or secondary school or on or within 1,000 feet of the real property comprising a day care center licensed pursuant to Title 22, section 8301-A or on or within any area designated as a safe zone by a municipality pursuant to Title 30-A, section 3253.

Sec. 5. 17-A MRSA §286 is enacted to read:

§ 286. Aggravating sentencing factor

If the State pleads and proves that a violation of any provision of this chapter was committed in a safe children zone, the court, in determining the appropriate sentence, shall treat this as an aggravating sentencing factor.

Sec. 6. 30-A MRSA §3253, as enacted by PL 2005, c. 415, §5, is amended to read:

§ 3253. Safe zones designated by municipality

A municipality may shall designate an area of the municipality that is frequented by minors as a safe zone under Title 17-A, section 1101, subsection 23, relating to drug offenses, or under Title 17-A, section 251, subsection 1, paragraph F or section 281, subsection 3-A, relating to sexual offenses. A municipality may designate the same area or different areas for the purposes of protecting minors from drug-related

offenses and sexual offenses. A safe zone designated pursuant to this section must be conspicuously marked by the municipality with an informational sign using wording provided by the Commissioner of Public Safety.

SUMMARY

This bill requires municipalities to designate safe zones to protect minors from sexual offenses and from drug-related offenses. The bill requires courts to treat the commission of a sexual offense within a designated safe children zone, including a municipally created safe zone, as an aggravating sentencing factor.