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Date: (Filing No. H- )

**STATE AND LOCAL GOVERNMENT**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1309, L.D. 1877, Bill, “An Act To Expand the Areas Subject to Municipal Residency Restrictions for Sex Offenders”

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

**'An Act To Expand and Clarify the Areas Subject to Municipal Residency Restrictions for Sex Offenders'**

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

**'Sec. 1. 30-A MRSA §3014, sub-§2, ¶B,** as amended by PL 2013, c. 161, §1, is repealed and the following enacted in its place:

B. A municipality may prohibit residence by a sex offender up to a maximum distance of 750 feet surrounding the real property comprising:

- (1) A public or private elementary, middle or secondary school;
- (2) A municipally owned or state-owned park, athletic field or recreational facility that is open to the public where children are the primary users; or
- (3) A municipally owned or state-owned property leased to a nonprofit organization for purposes of a park, athletic field or recreational facility that is open to the public where children are the primary users.'

**SUMMARY**

When the Maine Revised Statutes, Title 30-A, section 3014, subsection 2, paragraph B was amended in 2013, the legislation inadvertently omitted the ability of a municipality, by ordinance, to prohibit a sex offender from residing within 750 feet of property comprising a municipally owned or state-owned park, athletic field or recreational facility that is open to the public where children are the primary users; the exclusion was permitted only if that municipally owned or state-owned property was leased to a nonprofit organization.

**COMMITTEE AMENDMENT**

1           This amendment replaces the bill and expands the area from which a sex offender  
2 may be excluded by enactment of a municipal ordinance to include 750 feet from a  
3 municipally owned or state-owned park, athletic field or recreational facility that is open  
4 to the public where children are the primary users, even if that property is not leased to a  
5 nonprofit organization.