

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

S.P. 20 - L.D. 67

An Act To Ensure Access to Justice for Victims of Sexual Assault**Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 17-A MRSA §8, sub-§1, as amended by PL 1999, c. 438, §1, is repealed and the following enacted in its place:

1. It is a defense that prosecution was commenced after the expiration of the applicable period of limitations provided in this section, except that the following prosecutions may be commenced at any time:

A. A prosecution for murder or criminal homicide in the first or 2nd degree; or

B. If the victim had not attained the age of 16 years at the time of the crime, a prosecution for incest; unlawful sexual contact; sexual abuse of a minor; or rape or gross sexual assault, formerly denominated as gross sexual misconduct.

Sec. 2. 17-A MRSA §8, sub-§2, as amended by PL 2013, c. 392, §1, is repealed and the following enacted in its place:

2. Except as provided in subsection 1 or 2-A, a prosecution for a Class A, Class B or Class C crime must be commenced within 6 years after it is committed and a prosecution for a Class D or Class E crime must be commenced within 3 years after it is committed.

Sec. 3. 17-A MRSA §8, sub-§2-A, as enacted by PL 2013, c. 392, §2, is amended to read:

2-A. A prosecution for a Class A, Class B or Class C crime involving unlawful sexual contact or gross sexual assault must be commenced within & 20 years after it is committed.

This subsection does not apply to a Class D crime enhanced to a Class C crime pursuant to section 1252, subsection 4-A.

Sec. 4. Application. This Act applies to the following Class A, Class B or Class C crimes committed on or after the effective date of this Act or for which the prosecution

has not yet been barred by the statute of limitations in force immediately prior to the effective date of this Act: gross sexual assault under the Maine Revised Statutes, Title 17-A, section 253; and unlawful sexual contact under Title 17-A, section 255-A.