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Legislative Document

No. 1455

H.P. 1071

House of Representatives, April 12, 2021

An Act To Support Survivors of Sex Trafficking and Exploitation

Received by the Clerk of the House on April 8, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TALBOT ROSS of Portland.

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

2 **Sec. 1. 17-A MRSA §853-A, sub-§4**, as enacted by PL 2013, c. 537, §5, is
3 amended to read:

4 **4.** It is ~~an affirmative~~ a defense to prosecution under this section that the person
5 engaged in prostitution because the person was compelled to do so as described in section
6 852, subsection 2.

7 **Sec. 2. 17-A MRSA §853-A, sub-§5** is enacted to read:

8 **5.** It is an affirmative defense to prosecution under this section that the person engaged
9 in prostitution to prevent bodily harm, serious economic hardship, serious injury or another
10 threat to the person or another person.

11 **SUMMARY**

12 This bill amends the law on the crime of prostitution by changing from an affirmative
13 defense to a defense that a person engaged in prostitution because the person was compelled
14 to do so and adding the affirmative defense that a person engaged in prostitution to prevent
15 bodily harm, serious economic hardship, serious injury or another threat to the person or
16 another person.