



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 837

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H.P. 605

House of Representatives, March 8, 2021

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**An Act To Ensure That Definitions in the Child and Family Services  
and Child Protection Act Comply with State and Federal Law**

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Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.  
Reference to the Committee on Health and Human Services suggested and ordered printed.

*Robert B. Hunt*

ROBERT B. HUNT  
Clerk

Presented by Representative MEYER of Eliot.

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

2 **Sec. 1. 22 MRSA §4002, sub-§1**, as amended by PL 2015, c. 360, §2, is further  
3 amended to read:

4 **1. Abuse or neglect.** "Abuse or neglect" means a threat to a child's health or welfare  
5 by physical, mental or emotional injury or impairment, sexual abuse or exploitation  
6 including under Title 17-A, sections 282, 852, 853 and 855, deprivation of essential needs  
7 or lack of protection from these or failure to ensure compliance with school attendance  
8 requirements under Title 20-A, section 3272, subsection 2, paragraph B or section 5051-A,  
9 subsection 1, paragraph C, by a person responsible for the child. "Abuse or neglect" also  
10 means a threat to a child's health or welfare caused by child sex trafficking by any person,  
11 regardless of whether or not the person is responsible for the child.

12 **Sec. 2. 22 MRSA §4002, sub-§3-B** is enacted to read:

13 **3-B. Child sex trafficking.** "Child sex trafficking" means the recruitment, harboring,  
14 transportation, provision or obtaining of a child for the purposes of a commercial sex act.

15 **SUMMARY**

16 This bill amends the definition of "abuse or neglect" and enacts a definition for "child  
17 sex trafficking" within the Child and Family Services and Child Protection Act to ensure  
18 the State is in compliance with the federal Child Abuse Prevention and Treatment Act, as  
19 amended by Public Law 115-271.

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