

MAINE STATE LEGISLATURE

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6/11/25
R.O.F.S

L.D. 930

Date: 6/11/25

(Filing No. H-653)

MAJORITY

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 595, L.D. 930, "An Act to Amend the Law Governing Items Identified as Prison Contraband"

Amend the bill by striking out all of section 2 and inserting the following:

Sec. 2. 17-A MRSA §757, sub-§4 is enacted to read:

4. If the prison contraband under subsection 1, paragraph B is electronic contraband that is not intended to be used to commit a separate crime, trafficking in prison contraband is a Class D crime. For purposes of this subsection, "electronic contraband" means a mobile telephone or other handheld electronic communication device not authorized or issued by the custodial authority.

Sec. 3. 17-A MRSA §757-A, as enacted by PL 2001, c. 386, §2, is amended to read:
§757-A. Trafficking of tobacco or vaping device in adult correctional facilities

1. A person is guilty of trafficking tobacco or a vaping device in an adult correctional facility if:

A. That person intentionally conveys or attempts to convey tobacco or tobacco products or a vaping device to a person confined in an adult correctional facility that has banned the use of tobacco or tobacco products or vaping devices by prisoners; or

B. That person is confined in an adult correctional facility that has banned the use of tobacco or tobacco products or vaping devices by prisoners and the person intentionally obtains or possesses tobacco or tobacco products or a vaping device.

2. As used in this section, "adult correctional facility" means a county jail or correctional facility other than a juvenile facility under the control of the Department of Corrections and "vaping device" means a device, also known as a vape, e-cigarette, electronic cigarette or electronic vaporizer, that simulates smoking using an atomizer, a power source such as a battery and a container such as a cartridge or a tank and is used for ingesting any substance, including a drug identified in section 1101, subsection 11.

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 595, L.D. 930

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

This amendment, which is the majority report of the committee, does the following.

2. It amends the bill by moving the bill's references to vaping devices from the law regarding trafficking in prison contraband to the law regarding trafficking of tobacco in adult correctional facilities. This change also makes trafficking of a vaping device a Class E crime instead of the bill's proposal of making it a Class D crime.

(See attached)



Approved: 05/31/25 **LRL**

132nd MAINE LEGISLATURE

LD 930

LR 1246(02)

An Act to Amend the Law Governing Items Identified as Prison Contraband

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-653)
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund
Minor revenue increase - Other Special Revenue Funds

Correctional and Judicial Impact Statements

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional fines will increase General Fund or other dedicated revenue by minor amounts.