

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 930

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H.P. 595

House of Representatives, March 11, 2025

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

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Received by the Clerk of the House on March 5, 2025. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT  
Clerk

Presented by Representative O'HALLORAN of Brewer.  
Cosponsored by Representatives: BABIN of Fort Fairfield, BISHOP of Bucksport, DILL of Old Town, DRINKWATER of Milford, HENDERSON of Rumford, MCINTYRE of Lowell, PERKINS of Dover-Foxcroft, Senator: HAGGAN of Penobscot.

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

2 **Sec. 1. 17-A MRSA §757, sub-§3**, as enacted by PL 1975, c. 499, §1, is amended  
3 to read:

4 **3.** ~~Trafficking~~ Except as provided in subsection 4, trafficking in prison contraband is  
5 a Class C crime.

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

7 **4.** If the contraband is electronic contraband or a vaping device, trafficking in prison  
8 contraband is a Class D crime. For purposes of this subsection:

9 A. "Electronic contraband" means a mobile telephone or other handheld electronic  
10 communication device not authorized or issued by the custodial authority; and

11 B. "Vaping device" means a device, also known as a vape, e-cigarette, electronic  
12 cigarette or electronic vaporizer, that simulates smoking using an atomizer, a power  
13 source such as a battery and a container such as a cartridge or a tank and is used for  
14 ingesting any substance, including a drug identified in section 1101, subsection 11.

15 **SUMMARY**

16 This bill makes trafficking in prison contraband a Class D crime if the contraband is a  
17 mobile telephone or other handheld electronic communication device not authorized or  
18 issued by the custodial authority or a vaping device, also known as a vape, e-cigarette,  
19 electronic cigarette or electronic vaporizer.