

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1263

H.P. 838

House of Representatives, March 25, 2025

**An Act Regarding Penalties for Fentanyl Trafficking When That
Trafficking Results in an Overdose Causing Serious Bodily Injury of
a Person**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative POIRIER of Skowhegan.
Cosponsored by Senator FARRIN of Somerset and
Representatives: ARDELL of Monticello, HAGGAN of Hampden, NUTTING of Oakland,
SOBOLESKI of Phillips, WADSWORTH of Hiram, WHITE of Guilford, Senator: HAGGAN
of Penobscot.

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

Sec. 1. 17-A MRSA §1105-A, sub-§1, ¶L, as amended by PL 2017, c. 460, Pt. F, §2, is further amended to read:

L. Serious bodily injury of another person is in fact caused by the use of one or more scheduled drugs, the scheduled drug trafficked by the defendant is a contributing factor to the serious bodily injury of the other person and that drug is a schedule W drug. A violation of this paragraph is a Class B crime; ~~or~~

Sec. 2. 17-A MRSA §1105-A, sub-§1, ¶L-1 is enacted to read:

L-1. Serious bodily injury of another person resulting from an overdose is in fact caused by the use of fentanyl powder and the fentanyl powder trafficked by the defendant is a contributing factor of the serious bodily injury of the other person resulting from the overdose. A violation of this paragraph is a Class A crime; or

SUMMARY

This bill creates a Class A crime of aggravated trafficking in a scheduled drug for when serious bodily injury of another person resulting from an overdose is caused by the use of fentanyl powder and the fentanyl powder trafficked by the defendant is a contributing factor of the serious bodily injury resulting from the overdose.