

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1917

H.P. 1278

House of Representatives, May 6, 2025

**An Act to Allow the Sealing of Criminal History Record
Information Related to Convictions for Conduct That Is No Longer
a Crime in the State**

Reported by Representative KUHN of Falmouth for the Joint Standing Committee on
Judiciary pursuant to Resolve 2023, chapter 103, section 8.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint
Rule 218.

Robert B. Hunt

ROBERT B. HUNT
Clerk

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

Sec. 1. 15 MRSA §2261, sub-§6, as repealed and replaced by PL 2023, c. 639, §1, is amended to read:

6. Eligible criminal conviction. "Eligible criminal conviction" means:

A. A conviction for a current or former Class E crime, except a conviction for a current or former Class E crime under Title 17-A, chapter 11; and

B. A conviction for a crime when the crime was committed prior to January 30, 2017 for:

(1) Aggravated trafficking, furnishing or cultivation of scheduled drugs under Title 17-A, former section 1105 when the person was convicted of cultivating scheduled drugs, the scheduled drug was marijuana and the crime committed was a Class D crime;

(2) Aggravated cultivating of marijuana under Title 17-A, section 1105-D, subsection 1, paragraph A, subparagraph (4);

(3) Aggravated cultivating of marijuana under Title 17-A, section 1105-D, subsection 1, paragraph B-1, subparagraph (4);

(4) Aggravated cultivating of marijuana under Title 17-A, section 1105-D, subsection 1, paragraph D, subparagraph (4); and

(5) Unlawful possession of a scheduled drug under Title 17-A, former section 1107 when that drug was marijuana and the underlying crime was a Class D crime; and

C. A conviction for conduct that subsequent to the conviction is no longer a crime.

Sec. 2. 15 MRSA §2262, sub-§2, as enacted by PL 2021, c. 674, §1, is amended to read:

2. Time since sentence fully satisfied. At least 4 years have passed since the person has fully satisfied each of the sentencing alternatives imposed under Title 17-A, section 1502, subsection 2 for the eligible criminal conviction, except that a post-judgment motion to seal criminal history record information may be filed immediately upon fully satisfying each sentencing alternative for any conviction for conduct that subsequent to the conviction is no longer a crime;

SUMMARY

This bill is reported out by the Joint Standing Committee on Judiciary to implement statutory changes recommended by the Criminal Records Review Committee established in Resolve 2023, chapter 103. The joint standing committee has not taken a position on the substance of this bill. By reporting this bill out, the joint standing committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of this bill; instead, the joint standing committee is reporting the bill out for the sole purpose of having a bill printed that can be referred to the joint standing committee for an appropriate public hearing and subsequent processing in the normal course. The joint standing committee is taking this action to ensure clarity and transparency in the legislative review of the proposals contained in the bill.

1 The bill allows a person to file a post-judgment motion to seal criminal history record
2 information related to a conviction for conduct that subsequent to the conviction is no
3 longer a crime. The bill also eliminates the waiting period required before a person may
4 file a post-judgment motion to seal criminal history record information for any conviction
5 for conduct that subsequent to the conviction is no longer a crime.