

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 423

H.P. 333

House of Representatives, February 1, 2001

**An Act to Facilitate Implementation of Court Alcohol and Drug
Treatment Programs.**

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative SAVAGE of Buxton.
Cosponsored by Senator DAGGETT of Kennebec and
Representatives: BRYANT of Dixfield, COLWELL of Gardiner, MATTHEWS of Winslow,
McGLOCKLIN of Embden, NORBERT of Portland, USHER of Westbrook, WATERHOUSE
of Bridgton.

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

Sec. 1. 15 MRSA §1051, sub-§3-A is enacted to read:

3-A. Alcohol and drug treatment program. As a condition of release, the court may impose the condition of participation in an alcohol and drug treatment program for a period not to exceed 12 months pursuant to Title 4, chapter 8. If the court orders participation in a drug and alcohol treatment program under this subsection, on final disposition the court shall consider whether there has been compliance with the program. If the court finds, after opportunity for hearing, that a defendant released with a condition of participation in an alcohol and drug treatment program has intentionally or knowingly violated that condition, the court may impose a sanction of up to 7 days' detention. Nothing in this subsection restricts the ability of the court to impose sanctions other than detention for the violation of a condition of participation in an alcohol and drug treatment program or the ability of the court to enter any dispositional order allowed under section 1099-A on final disposition.

SUMMARY

This bill allows a court to order participation in a drug and alcohol treatment program as a condition of post-conviction bail. This bill also allows the court to impose sanctions if the defendant violates the condition.