

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1332

H.P. 941

House of Representatives, March 12, 2007

An Act Regarding Tobacco Products in Jails

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MILLS of Farmington.

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

2 **Sec. 1. 17-A MRSA §757-A, sub-§1**, as enacted by PL 2001, c. 386, §2, is
3 amended to read:

4 **1.** A person ~~is guilty of trafficking~~ may not traffick tobacco in an adult correctional
5 facility. A person trafficks tobacco in an adult correctional facility if:

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

9 B. That person is confined in an adult correctional facility that has banned the use of
10 tobacco or tobacco products by prisoners and the person intentionally obtains or
11 possesses tobacco or tobacco products.

12 **Sec. 2. 17-A MRSA §757-A, sub-§3**, as enacted by PL 2001, c. 386, §2, is
13 repealed and the following enacted in its place:

14 **3.** A person who violates this section commits a civil violation for which a fine of
15 not more than \$100 may be adjudged.

16

SUMMARY

17 This bill changes the offense of trafficking of tobacco in adult correctional facilities
18 from a Class E crime to a civil violation.