

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 251

S.P. 87

In Senate, February 5, 2013

An Act Criminalizing Trafficking in Contraband or Alcoholic Beverages in State Hospitals Serving Adults

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative SIROCKI of Scarborough and
Representatives: FARNSWORTH of Portland, MALABY of Hancock.

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

2 **Sec. 1. 17-A MRSA §§757-C and 757-D** are enacted to read:

3 **§757-C. Trafficking in contraband in a state hospital**

4 **1.** A person is guilty of trafficking in contraband in a state hospital if:

5 **A.** That person intentionally conveys or attempts to convey contraband to any patient
6 at a state hospital; or

7 **B.** Being a patient at a state hospital, that person intentionally makes, obtains or
8 possesses contraband.

9 **2.** As used in this section, "contraband" means a dangerous weapon as defined in
10 section 2, subsection 9, paragraph C or a scheduled drug as defined in section 1101,
11 subsection 11, unless, in the case of a patient at a state hospital, the drug was validly
12 prescribed to the patient and was approved for use by that patient pursuant to the
13 procedures of the state hospital. As used in this section, "state hospital" means the
14 Riverview Psychiatric Center or the Dorothea Dix Psychiatric Center.

15 **3.** Trafficking in contraband in a state hospital is a Class C crime.

16 **§757-D. Trafficking in alcoholic beverages in a state hospital**

17 **1.** A person is guilty of trafficking in alcoholic beverages in a state hospital if:

18 **A.** That person intentionally conveys or attempts to convey an alcoholic beverage to
19 any patient at a state hospital; or

20 **B.** Being a patient at a state hospital, that person intentionally makes, obtains or
21 possesses an alcoholic beverage.

22 **2.** As used in this section, "state hospital" means the Riverview Psychiatric Center
23 or the Dorothea Dix Psychiatric Center.

24 **3.** Trafficking in alcoholic beverages in a state hospital is a Class E crime.

25 **SUMMARY**

26 This bill makes it a Class C crime to traffick in contraband in a state hospital and a
27 Class E crime to traffick in alcoholic beverages in a state hospital. "State hospital" means
28 the Riverview Psychiatric Center or the Dorothea Dix Psychiatric Center.