

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 342

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H.P. 268

House of Representatives, January 24, 2019

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**An Act To Require a Person To Notify Law Enforcement Officers of  
the Possession of a Hypodermic Needle**

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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 HARRINGTON of Sanford.  
Cosponsored by Representatives: CEBRA of Naples, COREY of Windham, JOHANSEN of Monticello, NADEAU of Winslow, PERKINS of Oakland, PICKETT of Dixfield, Senator: DAVIS of Piscataquis.

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

2 **Sec. 1. 17-A MRSA §1111-B** is enacted to read:

3 **§1111-B. Failure to inform law enforcement officer of possession of hypodermic**  
4 **apparatus**

5 1. A person is guilty of failure to inform a law enforcement officer of a person's  
6 possession of a hypodermic apparatus if the person in fact is in possession of a  
7 hypodermic apparatus on the person's body and the person in fact fails to inform a law  
8 enforcement officer that the person is in possession of a hypodermic apparatus on the  
9 person's body during the course of any arrest or detention of the person.

10 2. A hypodermic apparatus and any contents of such apparatus are inadmissible as  
11 evidence in any prosecution for a violation of this chapter if the hypodermic apparatus  
12 was obtained as a result of the person's informing a law enforcement officer of the  
13 possession of the hypodermic apparatus as required by subsection 1.

14 3. Failure to inform a law enforcement officer of a person's possession of a  
15 hypodermic apparatus is a Class D crime.

16 **SUMMARY**

17 This bill establishes the failure to inform a law enforcement officer of a person's  
18 possession of a hypodermic apparatus as a Class D crime. Under the bill, if a person  
19 discloses the possession of a hypodermic apparatus as required, the hypodermic apparatus  
20 and any contents of the apparatus are inadmissible as evidence in a prosecution for a  
21 violation of the Maine Revised Statutes, Title 17-A, chapter 45.