

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 477

H.P. 351

House of Representatives, February 16, 2021

**An Act To Allow for Fair Restitution by Providing That Restitution
Does Not Include the Cost of Analysis of Suspected Illegal Drugs**

Received by the Clerk of the House on February 11, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative WARREN of Hallowell.
Cosponsored by Representatives: ANDREWS of Paris, EVANGELOS of Friendship,
LOOKNER of Portland, PERRY of Calais.

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

2 **Sec. 1. 17-A MRS §2002, sub-§3, ¶B,** as enacted by PL 2019, c. 113, Pt. A, §2,
3 is amended to read:

4 B. "Critical investigation expense" means a necessary expense incurred by a
5 government or by a victim while investigating or prosecuting suspected criminal
6 conduct. "Critical investigation expense" is limited to the cost of an audit or other
7 financial analysis when that analysis is necessary to determine whether and to what
8 extent a victim has suffered financial harm from criminal conduct by an employee or
9 other person in a position of trust ~~and the cost of analysis of suspected illegal drugs.~~

10 **SUMMARY**

11 In current law, critical investigation expenses are recoverable as restitution in criminal
12 cases. This bill amends the definition of "critical investigation expense" to remove the cost
13 of analysis of suspected illegal drugs.