

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 968

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H.P. 615

House of Representatives, March 2, 2023

### **An Act Regarding Restitution by Persons Convicted of Trafficking in Illegal Drugs**

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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 CAMPBELL of Orrington. (BY REQUEST)

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

2 **Sec. 1. 17-A MRSA §2002, sub-§3, ¶B,** as amended by PL 2021, c. 296, §1, is  
3 further 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 ~~if~~  
10 ~~the defendant is convicted of trafficking a scheduled drug under chapter 45 and the~~  
11 ~~court in sentencing the defendant makes a finding that the conduct underlying the~~  
12 ~~conviction was motivated by profit.~~

13 **SUMMARY**

14 This bill amends provisions of the Maine Criminal Code regarding restitution paid by  
15 defendants by removing the current requirement that a defendant may be ordered to pay  
16 restitution for the cost of analysis of suspected illegal drugs only if the defendant is  
17 convicted of trafficking a scheduled drug and the court in sentencing finds that the  
18 defendant's conduct was motivated by profit.