



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1311

H.P. 836

House of Representatives, March 23, 2023

An Act to Provide That the Legal Use or Possession of Cannabis Is Not a Violation of Probation, Parole or Pretrial Release

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative BOYER of Poland. Cosponsored by Senator BRAKEY of Androscoggin and Representatives: ANDREWS of Paris, DANA of the Passamaquoddy Tribe, WILLIAMS of Bar Harbor.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 28-B MRSA §1501, sub-§3 is enacted to read:
3 4	3. Conduct allowed for individuals on probation or parole and released pending trial. Unless the court makes a finding that the cultivation, possession or use of cannabis
5	by an individual creates a risk of danger to the individual or another person, the individual's
6	conduct allowed under this chapter or a positive test of the individual indicating the
7	presence of cannabis, delta-9-tetrahydrocannabinol or any other cannabinoid or metabolite
8	of cannabis may not be considered a violation of probation or parole under Title 34-A,
9	chapter 5 or release pending trial under Title 15, section 1026.
10	SUMMARY
11	This bill prohibits an individual's legal cultivation, possession or use of cannabis or
12	testing positive for cannabis from being a violation of probation, parole or release pending
13	trial unless the court finds that the cultivation, possession or use of cannabis by the
14	individual creates a risk of danger to the individual or others.