

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2054

H.P. 1316

House of Representatives, December 13, 2023

**An Act to Exclude Certain Operating Under the Influence Crimes
from the Immunity Provisions That Are Triggered When Law
Enforcement Is Called for a Suspected Overdose**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 11, 2023. 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 "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HASENFUS of Readfield.
Cosponsored by Representative: CRAFTS of Newcastle.

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

2 **Sec. 1. 17-A MRSA §1111-B, sub-§1, ¶A**, as amended by PL 2023, c. 178, §1; c.
3 316, §11; and c. 405, Pt. A, §34, is further amended by amending subparagraph (20) to
4 read:

5 (20) Criminal attempt as described in section 152 to commit a crime listed in
6 subparagraphs (1) to (18); ~~and~~

7 **Sec. 2. 17-A MRSA §1111-B, sub-§1, ¶A**, as amended by PL 2023, c. 178, §1; c.
8 316, §11; and c. 405, Pt. A, §34, is further amended by amending subparagraph (21) to
9 read:

10 (21) Criminal solicitation as described in section 153 to commit a crime listed in
11 subparagraphs (1) to (18);~~;~~

12 **Sec. 3. 17-A MRSA §1111-B, sub-§1, ¶A**, as amended by PL 2023, c. 178, §1; c.
13 316, §11; and c. 405, Pt. A, §34, is further amended by enacting a new subparagraph (22)
14 to read:

15 (22) OUI as described in Title 29-A, section 2411; and

16 **Sec. 4. 17-A MRSA §1111-B, sub-§1, ¶A**, as amended by PL 2023, c. 178, §1; c.
17 316, §11; and c. 405, Pt. A, §34, is further amended by enacting a new subparagraph (23)
18 to read:

19 (23) Operating or attempting to operate a watercraft under the influence as
20 described in Title 12, section 10701, subsection 1-A, paragraph B, a snowmobile
21 under the influence as described in Title 12, section 10701, subsection 1-A,
22 paragraph C or an ATV under the influence as described in Title 12, section 10701,
23 subsection 1-A, paragraph D.

24 **SUMMARY**

25 This bill adds operating under the influence, or OUI, and operating or attempting to
26 operate a watercraft, snowmobile or all-terrain vehicle, or ATV, under the influence to the
27 list of crimes that do not qualify for immunity from arrest, prosecution and certain
28 revocation and termination proceedings when assistance has been requested for a suspected
29 drug-related overdose.