



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 717

H.P. 456

House of Representatives, February 25, 2025

**An Act to Amend the Maine Criminal Code Governing Restitution
to Include the Costs of All Analyses of Suspected Illegal Drugs**

Received by the Clerk of the House on February 20, 2025. 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 BISHOP of Bucksport.
Cosponsored by Senator HAGGAN of Penobscot and
Representatives: ARDELL of Monticello, LIBBY of Auburn, PAUL of Winterport, PERKINS
of Dover-Foxcroft, WHITE of Guilford, WHITE of Ellsworth.

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 removes the provision in the Maine Criminal Code regarding economic loss
15 in the law governing restitution that the cost of analysis of suspected illegal drugs be
16 considered a critical investigation expense only if the defendant is convicted of trafficking
17 a scheduled drug and the court in sentencing the defendant makes a finding that the conduct
18 underlying the conviction was motivated by profit.