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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 836, L.D. 1311, “An Act to Provide That the Legal Use or Possession of Cannabis Is Not a Violation of Probation, Parole or Pretrial Release”

Amend the bill by striking out the title and substituting the following:

'An Act Regarding the Legal Use or Possession of Cannabis or Marijuana Under Conditions of Bail, Pretrial Release or Probation'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 15 MRSA §1023, sub-§4, ¶G, as enacted by PL 2015, c. 436, §3, is amended to read:

G. Notwithstanding section 1026, subsection 3, paragraph A, subparagraph (9-A), impose a condition of preconviction bail that a defendant submit to random search with respect to a prohibition on the possession, use or excessive use of alcohol, cannabis or illegal drugs.

Sec. 2. 15 MRSA §1026, sub-§3, ¶A, as amended by PL 2021, c. 397, §§2 and 3, is further amended by amending subparagraph (9) to read:

(9) Refrain from the possession, use or excessive use of alcohol or cannabis and from any use of illegal drugs. A condition under this subparagraph may be imposed only upon the presentation to the judicial officer of specific facts demonstrating the need for such condition;

Sec. 3. 17-A MRSA §1807, sub-§2, ¶I, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

I. Refrain from drug use and use or excessive use of alcohol or marijuana;

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

This amendment changes the title of and replaces the bill.

It adds use or excessive use of cannabis or marijuana to provisions of law regarding conditions of preconviction bail and conditional release to match those regarding use or excessive use of alcohol.