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**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 716, L.D. 1014, Bill, “An Act To Require A Person To Notify Law Enforcement Officers of the Possession of a Hypodermic Needle”

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

**'Sec. 1. 17-A MRSA §1111-B** is enacted to read:

**§1111-B. Failure to inform law enforcement officer of hypodermic apparatus**

1. A person is guilty of failure to inform a law enforcement officer of a hypodermic apparatus if the person in fact has a hypodermic apparatus in possession on the person's body and the person in fact fails to inform a law enforcement officer that the person is in possession of a hypodermic apparatus on the person's body during the course of any arrest or detention of the person.

2. A hypodermic apparatus or the contents of such apparatus is inadmissible as evidence in any prosecution for a violation of this chapter if the hypodermic apparatus was obtained as a result of the person's informing a law enforcement officer of the possession of the hypodermic apparatus as required by subsection 1.

3. Failure to inform a law enforcement officer of a hypodermic apparatus is a Class D crime.'

**SUMMARY**

This amendment replaces the bill and, like the bill, it establishes the failure to inform a law enforcement officer of a hypodermic apparatus as a Class D crime. If a person discloses the possession of a hypodermic apparatus as required, the amendment makes

**COMMITTEE AMENDMENT**

1 the hypodermic apparatus and any contents of the apparatus inadmissible as evidence in a  
2 prosecution for a violation of the Maine Revised Statutes, Title 17-A, chapter 45.

3

**FISCAL NOTE REQUIRED**

4

**(See attached)**