



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 968

H.P. 615

House of Representatives, March 2, 2023

An Act Regarding Restitution by Persons Convicted of Trafficking in Illegal Drugs

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CAMPBELL of Orrington. (BY REQUEST)

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 amends provisions of the Maine Criminal Code regarding restitution paid by
15 defendants by removing the current requirement that a defendant may be ordered to pay
16 restitution for the cost of analysis of suspected illegal drugs only if the defendant is
17 convicted of trafficking a scheduled drug and the court in sentencing finds that the
18 defendant's conduct was motivated by profit.