

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act Regarding Tobacco Products in Jails

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

Sec. 1. 17-A MRSA §757-A, sub-§1, as enacted by PL 2001, c. 386, §2, is amended to read:

1. ~~A person is guilty of trafficking~~may not traffick tobacco in an adult correctional facility. A person trafficks tobacco in an adult correctional facility if:

A. That person intentionally conveys or attempts to convey tobacco or tobacco products to a person confined in an adult correctional facility that has banned the use of tobacco or tobacco products by prisoners; or

B. That person is confined in an adult correctional facility that has banned the use of tobacco or tobacco products by prisoners and the person intentionally obtains or possesses tobacco or tobacco products.

Sec. 2. 17-A MRSA §757-A, sub-§3, as enacted by PL 2001, c. 386, §2, is repealed and the following enacted in its place:

3. A person who violates this section commits a civil violation for which a fine of not more than \$100 may be adjudged.

SUMMARY

This bill changes the offense of trafficking of tobacco in adult correctional facilities from a Class E crime to a civil violation.