

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 836 - L.D. 1311

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

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

**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;