

129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 846

H.P. 620

House of Representatives, February 14, 2019

Resolve, To Provide for the Sealing of Records of Convictions for Marijuana-related Violations That Are No Longer Crimes

Reference to the Committee on Judiciary suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative TALBOT ROSS of Portland. Cosponsored by Representative FARNSWORTH of Portland, President JACKSON of

Aroostook and Representatives: EVANGELOS of Friendship, HICKMAN of Winthrop, NEWELL of the Passamaquoddy Tribe, O'NEIL of Saco, PLUECKER of Warren, WARREN of Hallowell, Senator: BELLOWS of Kennebec.

- Sec. 1. Department of Public Safety; sealing of marijuana conviction records. Resolved: That, notwithstanding any provision of law to the contrary and no later than January 15, 2021, the Department of Public Safety, Bureau of State Police, State Bureau of Identification shall ensure that all criminal conviction records in the possession of the department that relate to an eligible marijuana conviction are made confidential. The dissemination of such records by the department is prohibited.
- 1. For the purposes of this section, "eligible marijuana conviction" means a conviction for a current or former crime that consisted of conduct that is authorized under the Maine Revised Statutes, Title 28-B, chapter 3.
- 2. No later than January 15, 2020, the Department of Public Safety shall submit to the joint standing committees of the Legislature having jurisdiction over adult use marijuana matters, criminal justice and public safety matters and judicial matters a report regarding the progress made by the department in meeting the requirements of this section. The report must include any proposed legislation necessary for the department to meet the requirements of this section by January 15, 2021. After reviewing the report, the joint standing committee of the Legislature having jurisdiction over adult use marijuana matters may report out legislation relating to the report to the First Regular Session of the 130th Legislature. The joint standing committees of the Legislature having jurisdiction over criminal justice and public safety matters and judicial matters may make recommendations to the joint standing committee of the Legislature having jurisdiction over adult use marijuana matters regarding that legislation.

22 SUMMARY

This resolve requires the Department of Public Safety, Bureau of State Police, State Bureau of Identification to ensure that all criminal conviction records in the possession of the department that relate to the conviction for an offense involving marijuana that is no longer illegal are made confidential and prohibits the dissemination of such records. The department is required to submit a report to the 130th Legislature regarding the progress of the department in meeting the requirements of this legislation.