

130th Maine Legislature – 2nd Regular Session

2022 NEW LAW UPDATE

New and Amended Statutes Relevant to Law Enforcement Officers

Effective August 8, 2022 (unless otherwise indicated)



**Maine Criminal Justice Academy
Maine Chiefs of Police Association
Maine Office of the Attorney General**

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This publication and the 2022 Case Law Update constitute the training outline of the Maine Criminal Justice Academy for recertification training in law updates for the year 2022.

Preparer's Note

This New Law Update contains summaries of selected public laws of interest to most Maine law enforcement officers. The Update includes the new or amended statutory citations as well as links to the chaptered laws and the LDs that started it all. It is strongly recommended that the entire text of the chaptered law be examined for a more comprehensive understanding, particularly before taking any enforcement action.

As you know, there are diverse types of law enforcement officers in Maine. To keep the length of the document manageable, new or amended laws that may be of interest to only those officers who focus on specialized enforcement are not included.

The summaries are those of the preparer and do not represent legal opinions of the Office of the Attorney General or interpretations by the Maine Criminal Justice Academy or the Maine Chiefs of Police Association.

The preparer wishes to recognize the assistance of Assistant Attorney General Laura Yustak of the Attorney General's Criminal Division, who reviewed this document and offered meaningful comments and suggestions.

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Links to Chaptered Laws

<https://legislature.maine.gov/ros/LawsOfMaine/#Law/130/R2/ACTPUB/551>

Link to LDs

https://legislature.maine.gov/bills/billdirectory_ps.asp?snum=130&ldFrom=1

Questions, suggestions, or other comments?

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Chapter 510 – LD 1307

An Act Regarding the Sale and Use of Consumer Fireworks

This law amends current law to require sellers of consumer fireworks to provide a statement to customers that local ordinances may prohibit or restrict the use of fireworks within a municipality and that information on such prohibitions or restrictions is available through the Office of the State Fire Marshal. It amends the litter control statute to provide that litter includes all waste materials resulting from the use of fireworks. It amends the disorderly conduct statute to provide that the making of loud and unreasonable noise, which can be an element of the crime of disorderly conduct, includes loud and unreasonable noise resulting from the use of fireworks, and adds a cross-reference to the definition of “consumer fireworks.”

Amends 8 MRSA §223-A, sub-§10

Amends 17 MRSA §2263, sub-§2

Amends 17-A MRSA §501-A, sub-§1, ¶A

Amends 17-A MRSA §501-A, sub-§1, ¶C

Enacts 17-A MRSA §501-A, sub-§2, ¶C

Chapter 542 – LD 1870

An Act Regarding the Maine School Safety Center

This law details the purposes of the Maine School Safety Center of the Department of Education. The Center is established to assist schools in their efforts to provide for the overall safety of their school community. The primary role of the Center is to provide training, guidance, and technical support to schools regarding their efforts to safely mitigate against, prepare for, respond to, and recover from all hazards and threats.

Amends 20-A MRSA §6557

Chapter 568 – LD 1821

An Act to Protect Public Election Officials

This law creates the Class D crime in the election laws in Title 21-A of intentionally interfering by force, violence, or intimidation, or by any physical act with any public official who is in fact performing or whom the person believes is performing an official function relating to a federal, state, or municipal election. 21-A M.R.S.A. § 674(2)(E). The law also directs the Secretary of State to develop a process for reporting election-related threats to or harassment of public officials. The law requires the Secretary of State to incorporate de-escalation training and information on how to report election-related threats to and harassment of public officials in the training provided to municipal clerks and registrars of voters.

Amends 17-A MRSA §751, sub-§2

Amends 21-A MRSA §1, sub-§34

Amends 21-A MRSA §101, sub-§9

Amends 21-A MRSA §505, sub-§7-A

Amends 21-A MRSA §674, sub-§2, ¶A

Enacts 21-A MRSA §674, sub-§2, ¶E

Enacts 21-A MRSA §675

Chapter 574 – LD 2024 (Effective April 7, 2022)

An Act to Allow County and Regional Communications Centers to Request Polygraph Examinations for Employees and Applicants for Employment

Under current law, law enforcement employees and applicants for positions with law enforcement agencies, including dispatchers, may be subject to polygraph examinations as a condition of obtaining or holding employment. Other dispatch employees or applicants

were not subject to polygraph examinations, even though those employees may have access to confidential information. This law allows communications centers that dispatch for law enforcement to require employees and applicants to submit to a polygraph examination. Excluded are dispatch centers that dispatch only fire services or emergency medical services.

Amends 32 MRSA §7364, sub-§3

Chapter 580 – LD 1951

An Act Related to Hunting Dogs and Civil Trespass

This law enacts a new offense of civil trespass by a hunting dog. 12 MRSA §10657-A. Specifically, a person may not turn a hunting dog loose in pursuit of a bear, coyote, bobcat, fox, or raccoon onto the property of another if the landowner or the landowner's agent has personally communicated to a dog handler that the landowner does not want a hunting dog released onto that property; or the property is posted by law or in a manner reasonably likely to come to the attention of a person unless a dog handler has express permission from the landowner or the landowner's agent to turn a hunting dog loose onto that property; or in a manner that results in the hunting dog entering the property of another, if a hunting dog has been previously found on that property and the dog handler has been notified in writing by a law enforcement officer within the previous 365 days that the landowner does not permit hunting dogs on that property.

Amends 12 MRSA §10265

Enacts 12 MRSA §10657-A

Amends 12 MRSA §10902, sub-§6, ¶I

Amends 12 MRSA §10902, sub-§6, ¶J

Enacts 12 MRSA §10902, sub-§6, ¶K

Enacts 12 MRSA §10902, sub-§7-D

Enacts 12 MRSA §11163

Amends 12 MRSA §11228, sub-§1

Amends 12 MRSA §11228, sub-§2

Enacts 12 MRSA §12051, sub-§2-A

Enacts 12 MRSA §12051, sub-§2-B

Chapter 608 – LD 1903

An Act to Update Criminal and Related Statutes and Respond to Decisions of the Law Court

In response to *State v. Weddle*, 2020 ME 12, this law repeals Title 29-A, section 2522, which the Maine Law Court found to be unconstitutional because it required the driver's blood to be taken without consent and without probable cause to believe that the driver was impaired by alcohol or drugs. The law also moves the statutory allocation of the one year of suspension for refusal to take a chemical test when there is probable cause to believe that death occurred or will occur as a result of an accident to the law on implied consent to a chemical test.

The law amends Title 15, section 393 (possession of firearms prohibited for certain persons) to recognize that convictions in the tribal courts of federally recognized Indian tribes are disqualifying convictions for the purposes of the prohibition against firearms. It makes section 393 more consistent with the Maine Criminal Code by using the phrase "another jurisdiction" to reference the courts identified by that term.

NOTE: On a related front, officers are advised to review 15 MRSA § 393 to become familiar with firearms prohibitions beyond those applicable to persons convicted of felony-level crimes. A new federal statute, 18 USC § 925B, enacted as part of the NICS Denial

Notification Act, requires notification to local law enforcement agencies of denials of firearms purchases. These denials may be based on state prohibitors and may require follow-up by local law enforcement. Law enforcement agencies are to be notified by teletype.

In response to *State v. LeBlanc-Simpson*, 2018 ME 109, the law clarifies that a judicial officer (judge or bail commissioner who issues a written release order under Title 15, section 1026, subsection 2-A or 3 must inform a defendant of the conditions of release, that the conditions take effect and are fully enforceable immediately unless the release order expressly excludes a condition of release from immediate applicability, and that failure to appear or comply with conditions may result in revocation of bail and additional criminal penalties. This law provides that the notice may be provided by a judicial officer, a law enforcement officer, or an employee of a county or regional jail or a correctional facility having custody of the defendant.

The law amends the laws governing probation to reflect the current practice of the Department of Corrections with respect to calculating the period of probation. A probationer receives credit for a full day of probation on the day probation commences, regardless of the time of day, and receives no credit for a day on which probation is tolled. The period of probation ends when the final day of the probation period ends.

The law establishes the *mens rea* requirement for the Class C crime of gross sexual assault under Title 17-A, section 253, subsection 2, paragraph M as criminal negligence and makes the same change to the corresponding Class C and Class D crimes of unlawful sexual contact and the corresponding Class D crime of unlawful sexual touching. In other words, if the defendant is criminally negligent with respect to whether the other person has acquiesced to the sexual act, contact or touching, criminal liability may attach.

Amends 5 MRSA §20071, sub-§1
Amends 25 MRSA §2005-A, sub-§3
Enacts 29-A MRSA §2521, sub-§6-A
Enacts 29-A MRSA §2521, sub-§8, ¶A-1
Repeals 29-A MRSA §2522
Amends 15 MRSA §393, sub-§1, ¶A-
Amends 15 MRSA §393, sub-§1, ¶A-1
Amends 15 MRSA §393, sub-§1, ¶A-1
Amends 15 MRSA §393, sub-§1, ¶C
Amends 15 MRSA §393, sub-§1, ¶D
Amends 15 MRSA §393, sub-§1-A
Amends 15 MRSA §393, sub-§1-B, ¶A
Amends 15 MRSA §393, sub-§1-B, ¶B

Repeals 15 MRSA §393, sub-§7, ¶C
Enacts 15 MRSA §393, sub-§7, ¶F
Amends 15 MRSA §1026, sub-§5
Amends 15 MRSA §1026, sub-§7
Amends 17-A MRSA §1805, sub-§1
Amends 17-A MRSA §1806
Amends 17-A MRSA §1812, sub-§7
Enacts 17-A MRSA §1815
Amends 17-A MRSA §253, sub-§2, ¶M
Amends 17-A MRSA §255-A, sub-§1, ¶A
Amends 17-A MRSA §255-A, sub-§1, ¶B
Amends 17-A MRSA §260, sub-§1, ¶A

Chapter 619 – LD 1446

An Act to Aid Municipalities in the Issuance of Concealed Handgun Permits

This law clarifies existing law regarding the designation of the issuing authority by municipalities that have a full-time police chief and by municipalities that do not have a full-time chief. It also defines "municipal officers." It authorizes the municipal officers of a municipality, regardless of whether the municipality has a full-time police chief, to designate as the issuing authority the police chief of an adjacent municipality or the sheriff of the county in which the municipality is located if the chief or sheriff agrees to that

designation. The law also requires the State Police to convene a stakeholder group to review the laws regulating the issuance of permits to carry a concealed handgun and develop findings and recommendations for changes to those laws to improve the existing permitting process or to address other identified issues with the process. On or before February 15, 2023, the State Police must submit a report to the Legislature outlining the findings and recommendations of the stakeholder group.

Amends 25 MRSA §2002, sub-§9
Enacts 25 MRSA §2002, sub-§10-B

Enacts 25 MRSA §2002-B

Chapter 647 – LD 1696 (Effective January 1, 2023)

An Act to Clarify and Recodify Maine's Protection from Abuse Statutes

This law clarifies and recodifies Maine's protection from abuse statutes to make the process more accessible to the public, the legal community, and the judiciary. It reorganizes the existing language to follow standard conventions of statutory construction and places similar sections together. It breaks down dense paragraphs into easy-to-read numbered sections and increases the readability of certain sections. Established case law is incorporated for judicial economy and clarity for self-represented litigants and the legal community. The law does not make any substantive changes to existing law and is intended solely as a reorganization of the existing statutes. The new violation section is 19-A MRSA § 4113. Law enforcement agency responsibilities are codified at 19-A MRSA § 4114.

Amends 5 MRSA §12004-I, sub-§74-C
Repeals 19-A MRSA c. 101
Enacts 19-A MRSA c. 103
Amends 4 MRSA §183, sub-§1, ¶D
Amends 7 MRSA §3906-B, sub-§9
Amends 8 MRSA §231, sub-§4, ¶A
Amends 10 MRSA §1310-H, sub-§2-A
Amends 14 MRSA §6000, sub-§1
Amends 15 MRSA §891, sub-§2
Amends 15 MRSA §1003, sub-§3-A, ¶B
Amends 15 MRSA §1023, sub-§4, ¶B-1
Amends 15 MRSA §1026, sub-§1
Amends 15 MRSA §1026, sub-§4, ¶C
Amends 15 MRSA §1051, sub-§1
Amends 15 MRSA §1051, sub-§2
Amends 15 MRSA §1094-B, sub-§1
Amends 15 MRSA §1094-C, sub-§1
Amends 17-A MRSA §15, sub-§1, ¶A
Amends 17-A MRSA §15, sub-§1, ¶A
Amends 17-A MRSA §207-A, sub-§1, ¶A
Amends 17-A MRSA §207-A, sub-§1, ¶B
Amends 17-A MRSA §208-D, sub-§1
Amends 17-A MRSA §208-E, sub-§1, ¶B
Amends 17-A MRSA §208-F, sub-§1, ¶B
Amends 17-A MRSA §209-A, sub-§1, ¶Aw
Amends 17-A MRSA §209-A, sub-§1, ¶B
Amends 17-A MRSA §210-A, sub-§1, ¶C
Amends 17-A MRSA §210-B, sub-§1, ¶A
Amends 17-A MRSA §210-B, sub-§1, ¶B
Amends 17-A MRSA §210-C, sub-§1, ¶A
Amends 17-A MRSA §210-C, sub-§1, ¶B

Amends 17-A MRSA §211-A, sub-§1, ¶A
Amends 17-A MRSA §211-A, sub-§1, ¶B
Amends 17-A MRSA §506-A, sub-§1, ¶A
Amends 17-A MRSA §506-B, sub-§3
Amends 17-A MRSA §1501, sub-§9
Amends 17-A MRSA §1603, sub-§2, ¶C
Amends 17-A MRSA §1801, sub-§1
Amends 17-A MRSA §1801, sub-§2
Amends 17-A MRSA §1801, sub-§3, ¶C
Amends 17-A MRSA §1802, sub-§1, ¶B
Amends 17-A MRSA §1804
Amends 17-A MRSA §1807, sub-§2, ¶D-1
Amends 17-A MRSA §2106, first ¶
Amends 17-A MRSA §2107, last ¶
Amends 17-A MRSA §2301, sub-§1
Amends 19-A MRSA §852, sub-§4
Amends 19-A MRSA §903, sub-§4
Amends 19-A MRSA §1653, sub-§3, ¶O
Amends 19-A MRSA §1653, sub-§5-A
Amends 22 MRSA §1727, sub-§1
Amends 22 MRSA §3028, sub-§12
Amends 22 MRSA §4008, sub-§2, ¶E
Amends 22 MRSA §4036, sub-§1, ¶I
Amends 24-A MRSA §2159-B, sub-§1
Amends 25 MRSA §2003, sub-§4, ¶A
Amends 25 MRSA §2003, sub-§5
Amends 25 MRSA §2473, sub-§5, ¶A
Amends 25 MRSA §2803-B, sub-§1, ¶D
Amends 25 MRSA §2804-C, sub-§2-C
Amends 25 MRSA §2806-A, sub-§5, ¶K
Amends 26 MRSA §850, sub-§1

Amends 32 MRSA §8105, sub-§4, ¶A
Amends 32 MRSA §9405, sub-§2-C, ¶A
Amends 32 MRSA §9405, sub-§4, ¶B

Amends 32 MRSA §9410-A, sub-§5, ¶B
Amends 34-A MRSA §1206-A, sub-§1, ¶B

Chapter 660 – LD 796

An Act Governing the Sale, Purchase, Removal, Transport, and Disposal of Catalytic Converters, Governing Scrap Metal Processors

This law defines a "catalytic converter" as a device installed in the exhaust system of a vehicle that uses a catalyst to convert pollutant gases into less harmful gases. For all vehicles sold at retail, it requires vehicle dealers to engrave the vehicle identification number on the catalytic converter in a location that is visible from the underside of the vehicle, unless the catalytic converter is not in a location that is clearly visible from the underside of the vehicle. It creates a legal framework governing the sale, purchase, removal, transport, and disposal of catalytic converters that have been removed from vehicles and establishes criminal penalties for violations. It requires that a person who is a licensed scrap metal processor must also be licensed as a recycler if, as part of that person's business, that person engages in the purchase or sale of vehicles or vehicle parts. It directs the Bureau of Motor Vehicles to provide information for posting at motor vehicle branch locations and on the bureau's website to promote public awareness of the requirements related to catalytic converters. The chapter creates new crimes associated with the above requirements. It declares catalytic converters possessed in violation of the law to be contraband subject to seizure, with the requirement that law enforcement file a libel in court for any such seizure.

Enacts 29-A MRSA §101, sub-§13-A
Enacts 29-A MRSA §159
Amends 29-A MRSA §952, sub-§1-B

Enacts 29-A MRSA §1113
Amends 30-A MRSA §3775, first ¶

Chapter 668 – LD 1905

An Act to Facilitate Communication between Prosecutors and Unrepresented Defendants

This chapter amends a recently enacted statute that prohibits prosecutors from communicating with unrepresented defendants. The amendment clarifies that the prosecution may not communicate with an unrepresented defendant about the facts, circumstances, merits, or disposition of a criminal charge pending against the defendant before the defendant has knowingly, voluntarily, and intelligently waived the defendant's right to counsel. The law specifies that the defendant must have been informed of the defendant's right to counsel by the court, including court-appointed counsel if the defendant is indigent. A waiver must be in writing and executed in court. A prosecutor may communicate with an unrepresented defendant to offer the defendant an opportunity to participate in an established pre-charge diversion program, the successful completion of which would result in the prosecutor not prosecuting the defendant, or notifying the defendant that a pending criminal matter is being dismissed. This law has no application to the obligation of the State to provide discovery or other information or notice by the prosecutor to a person that no charge is being filed.

Amends 15 MRSA §815

Chapter 674 – LD 1310

An Act Regarding a Post-judgment Motion to Seal Criminal History Record Information for Certain Criminal Convictions

This law reestablishes a special process to seal certain criminal records that was repealed by its own terms on October 1, 2019. It uses the same process to seal criminal records of an eligible criminal conviction as in the repealed law but expands the eligibility for record sealing by increasing the age at which the crime was committed. The law defines "eligible criminal conviction" to include all current and former Class E crimes except for sexual assault crimes. To be eligible, a person must have been 18-27 (inclusive) at the time the crime was committed; have no other criminal convictions in Maine or other jurisdictions since the time of completion of any sentence on the subject crime; and have no pending charges at the time of application. A person must wait four years after completion of the sentence before applying to have the conviction sealed. When a person's criminal history record information related to the eligible conviction is sealed, the sealed information must be treated as confidential criminal history record information for the purposes of dissemination to the public and may not be disseminated by a criminal justice agency, whether directly or through any intermediary, except as provided in Title 16, section 705. A criminal justice agency may disseminate information to the person; a criminal justice agency for the administration of criminal justice; the Secretary of State to ensure compliance with motor vehicle laws; victims; certain professional licensing agencies; financial institutions that are required to conduct criminal history record checks; and others required to conduct fingerprint-based background checks. A person whose criminal conviction is sealed may respond to inquiries, other than from criminal justice agencies and those authorized to obtain the sealed criminal history record information, by not disclosing the existence of the sealed criminal history record information without being subject to any state sanctions. Not disclosing the existence of the sealed criminal history record information is not perjury, false swearing, or unsworn falsification except if not disclosed to a criminal justice agency or those authorized to obtain the sealed record. The law provides that a person who intentionally disseminates criminal history record information that has been sealed under this legislation in violation of the confidentiality provisions, knowing it to be in violation, is guilty of unlawful dissemination as provided in Title 16, section 707, which is a Class E crime.

Enacts 15 MRSA c. 310-A

Reminder: Title 16, section 704(2) requires a criminal justice agency to query SBI before disseminating any public criminal history record information for a noncriminal justice purpose to ensure the most up-to-date disposition information. (“Noncriminal justice purpose” means a purpose other than for the administration of criminal justice or criminal justice agency employment.) This is an example of why it is important to do that—the agency may have a record of the conviction but, if it were subsequently sealed, the agency would not know without checking with SBI, and the law prohibits the dissemination of a sealed conviction.

Chapter 724 – LD 1862

An Act to Strengthen Good Samaritan Laws Concerning Drug-related Medical Assistance

Chapter 759, section C-1 – LD 2041

An Act to Correct Errors in Recently Enacted Legislation (Effective May 12, 2022)

This law expands the current law that grants immunity from arrest and prosecution in the event of a drug overdose from its current scope of protecting the person who called for help and the person experiencing the overdose so that it will also protect a person “rendering aid” to the person who is experiencing the suspected overdose. "Rendering aid" means performing any action that involves looking after a person who is experiencing a suspected drug-related overdose while the person performing the action is awaiting the arrival of a medical professional or law enforcement officer, including, but not limited to, giving first aid or administering or assisting in the administration of naloxone hydrochloride. The law also provides a procedure for the court to determine immunity pretrial and provides that the burden of proof of immunity is that of an affirmative defense. The law authorizes the court to hear testimony and requires the court to make factual and legal findings as necessary to determine immunity.

Protected Person. When a medical professional or law enforcement officer has been dispatched to the location of a medical emergency in response to a call for assistance for a suspected drug-related overdose, the immunity provisions apply to any protected person at the location when the medical professional or the law enforcement officer arrives. A "protected person" means a person who in good faith calls for assistance for another person experiencing a suspected drug-related overdose, any person rendering aid at the location of the suspected drug-related overdose, and any person who is experiencing a suspected drug-related overdose.

Immunity Provisions. Except with regard to an excluded crime (listed below), a protected person is immune from (1) arrest or prosecution for a violation of law, (2) revocation proceedings with regard to conditions of release, probation, administrative release, or supervised community confinement, and (3) termination proceedings for deferred disposition violations or termination from community confinement monitoring, if the grounds for such an action are obtained as a result of a medical professional's or law enforcement officer's responding to a request for medical assistance or the identity of the protected person is learned or the protected person is identified as a person subject to such an action as a result of a medical professional's or law enforcement officer's responding to a request for medical assistance.

Excluded Crimes. "Excluded crime" means a crime that does not qualify for immunity. The following crimes are excluded crimes:

- (1) An offense against a person as described in Title 17-A, chapter 9;
- (2) Sexual assault as described in Title 17-A, chapter 11;
- (3) Sexual exploitation of a minor as described in Title 17-A, chapter 12;
- (4) Kidnapping, criminal restraint, and criminal forced labor as described in Title 17-A, chapter 13;
- (5) Robbery as described in Title 17-A, section 651;
- (6) Arson as described in Title 17-A, section 802;

- (7) Aggravated sex trafficking as described in Title 17-A, section 852;
- (8) Sex trafficking as described in Title 17-A, section 853;
- (9) Aggravated attempted murder as described in Title 17-A, section 152-A;
- (10) Abandonment of a child as described in Title 17-A, section 553;
- (11) Endangering the welfare of a child as described in Title 17-A, section 554, subsection 1, paragraph A;
- (12) Unlawful transfer of a firearm other than a handgun to a minor as described in Title 17-A, section 554-A;
- (13) Unlawful transfer of a handgun to a minor as described in Title 17-A, section 554-B;
- (14) Endangering the welfare of a dependent person as described in Title 17-A, section 555, subsection 1, paragraph A or B;
- (15) Incest as described in Title 17-A, section 556;
- (16) Patronizing prostitution of a minor or person with mental disability as described in Title 17-A, section 855;
- (17) Violation of a protection from harassment order issued pursuant to Title 5, chapter 337-A, a protective order in crimes between family members issued pursuant to Title 15, chapter 12-A, or a protection from abuse order issued pursuant to Title 19-A, chapter 101;
- (18) A crime that is not listed here that was committed against a person who was in fact less than 18 years of age at the time that the crime was committed;
- (19) Criminal conspiracy as described in Title 17-A, section 151 to commit a crime listed in (1) to (18) above;
- (20) Criminal attempt as described in Title 17-A, section 152 to commit a crime listed in (1) to (18) above; and
- (21) Criminal solicitation as described in Title 17-A, section 153 to commit a crime listed in (1) to (18) above.

Repeals and Enacts in its place 17-A MRSA §1111-B
The section number, 1111-B, is retained for entirely new text.

Chapter 684 – LD 679

An Act to Establish a Statewide Electronic Warrant System

This law directs the State Court Administrator to establish a secure electronic system for the application, issuance, and return of arrest warrants and search warrants and that provides access to authorized users statewide. It amends the law on search warrants to allow electronic application and issuance once the electronic system has been established. The law directs the Supreme Judicial Court to adopt amendments to the Maine Rules of Unified Criminal Procedure, Rule 4, Arrest Warrant or Summons, effective on the date of the establishment of the statewide electronic warrant system.

Enacts 4 MRSA §17, sub-§18

Amends 15 MRSA §55

Resolve Chapter 160 – LD 861

Resolve Concerning Training Related to Protection from Substantial Threats

This resolve requires the Department of Public Safety to develop and provide training on the protection from substantial threats process in Title 34-B, section 3862-A, referred to in the resolve as "the temporary weapons removal process." The department is required to report annually from 2023 to 2026 to the Legislature on the training programs and certain information concerning temporary weapons removal assessments and recommended

temporary weapons removals. In 2022, DPS is required to conduct one *mandatory* training program for all law enforcement officers on the temporary weapons removal process. In 2023 and 2024, the department must conduct at least one *voluntary* training program for law enforcement officers per year. The department must offer the training programs as determined necessary by the department to hospitals, behavioral health agencies, assertive community treatment teams, and all providers, including telehealth services providers contracted by the State, conducting temporary weapons removal assessments, district attorneys, and representatives of the judicial branch.

Resolve Chapter 173 – LD 629 (Effective May 3, 2022)

Resolve to Establish the Task Force to Study the Process for Bringing Criminal Cases in Situations of Violence against Health Care Workers

This resolve establishes a task force to review the process by which criminal cases may be brought related to incidents of violence in hospitals and other health care facilities with particular attention to incidents of violence involving patients or individuals assaulting hospital or medical staff. No later than November 2, 2022, the task force must submit a report that includes its findings and recommendations, including suggested legislation to the Legislature. In addition to legislative members and representatives of health care providers, the task force includes a law enforcement representative, and the requirement to extend invitations to the Judicial Branch and District Attorneys to designate two members each.

Resolve Chapter 126 – LD 842

Resolve, To Create the Commission to Examine Reestablishing Parole

The Commission to Examiner Reestablishing Parole is charged with examining “parole as it currently operates in this State and in other states, with a specific focus on the parole law in Colorado, the benefits and drawbacks of parole, different models of parole, how parole fits in with the overall framework of the Maine Criminal Code, the effect of parole on parolees, the costs and savings of instituting parole and the elements of a plan to implement parole.” A report to the Legislature is due by December 1, 2022.

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