An Act To Remove Restrictions on Syringe Service Programs

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.
Reference to the Committee on Health and Human Services suggested and ordered printed.

Presented by Representative McDONALD of Stonington.
Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
Whereas, the number of deaths due to drug overdose continues to rise; and
Whereas, access to clean syringes reduces instances of life-threatening infections; and
Whereas, hospital resources are strained due to the COVID-19 pandemic; and
Whereas, this legislation is necessary to save lives and protect public health; and
Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 22 MRSA §1341, sub-§1-A is enacted to read:

1-A. Hypodermic apparatus distribution. A hypodermic apparatus exchange program may not limit the number of hypodermic apparatuses given to participants of the program at any time or require the return of a used hypodermic apparatus as a condition for receiving a hypodermic apparatus.

Sec. 2. 22 MRSA §1341, sub-§2, ¶A-1 is enacted to read:

A-1. Procedures for hypodermic apparatus distribution that are consistent with subsection 1-A;

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill prohibits a hypodermic apparatus exchange program from limiting distribution of hypodermic apparatuses to program participants or requiring the exchange of used hypodermic apparatuses.