

**§1105. Substance use disorder treatment program**

As a condition of post-conviction release, the court may impose the condition of participation in a substance use disorder treatment program for a period not to exceed 24 months pursuant to Title 4, chapter 8. Upon request of the Department of Corrections, the court may require the defendant to pay a substance use testing fee as a requirement of participation in the substance use disorder treatment program. If at any time the court finds probable cause that a defendant released with a condition of participation in a substance use disorder treatment program has intentionally or knowingly violated any requirement of the defendant's participation in the substance use disorder treatment program, the court may suspend the order of bail for a period of up to 7 days for any such violation. The defendant must be given an opportunity to personally address the court prior to the suspension of an order of bail under this section. A period of suspension of bail is a period of detention under Title 17-A, section 2305. This section does not restrict the ability of the court to take actions other than suspension of the order of bail for the violation of a condition of participation in a substance use disorder treatment program or the ability of the court to entertain a motion to revoke bail under section 1098 and enter any dispositional order allowed under section 1099-A. If the court orders participation in a substance use disorder treatment program under this section, upon sentencing the court shall consider whether there has been compliance with the program. [PL 2019, c. 113, Pt. C, §35 (AMD).]

**SECTION HISTORY**

PL 2001, c. 318, §1 (NEW). PL 2003, c. 205, §2 (AMD). PL 2017, c. 407, Pt. A, §53 (AMD). PL 2019, c. 113, Pt. C, §35 (AMD).

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