

§757-A. Trafficking of tobacco or vaping device in adult correctional facilities

1. A person is guilty of trafficking tobacco or a vaping device in an adult correctional facility if:

A. That person intentionally conveys or attempts to convey tobacco, tobacco products or a vaping device to a person confined in an adult correctional facility that has banned the use of tobacco, tobacco products or vaping devices by prisoners; or [PL 2025, c. 355, §3 (AMD).]

B. That person is confined in an adult correctional facility that has banned the use of tobacco, tobacco products or vaping devices by prisoners and the person intentionally obtains or possesses tobacco, tobacco products or a vaping device. [PL 2025, c. 355, §3 (AMD).]

[PL 2025, c. 355, §3 (AMD).]

2. As used in this section, "adult correctional facility" means a county jail or correctional facility other than a juvenile facility under the control of the Department of Corrections and "vaping device" means a device, also known as a vape, e-cigarette, electronic cigarette or electronic vaporizer, that simulates smoking using an atomizer, a power source such as a battery and a container such as a cartridge or a tank and is used for ingesting any substance, including a drug identified in section 1101, subsection 11.

[PL 2025, c. 355, §3 (AMD).]

3. Trafficking of tobacco or a vaping device in an adult correctional facility is a Class E crime.

[PL 2025, c. 355, §3 (AMD).]

SECTION HISTORY

PL 2001, c. 386, §2 (NEW). PL 2025, c. 355, §3 (AMD).

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