§803-A. Administrative holds

In accordance with the provisions of this section, the office may impose an administrative hold on a licensee's cannabis plants, cannabis or cannabis products if, as a result of an inspection or investigation of the licensee by the office or a criminal justice agency, the office determines there are reasonable grounds to believe the licensee or an agent or employee of the licensee has committed or is committing a violation of the provisions of this chapter, the rules adopted pursuant to this chapter or the terms, conditions or provisions of the licensee's license regarding labeling and packaging, testing results, contamination of cannabis plants and cannabis or cannabis products or cannabis plants or cannabis products tracking that is not in compliance with the tracking system. [PL 2023, c. 679, Pt. B, §136 (AMD).]

1. Notice. The office shall provide to a licensee subject to an administrative hold notice of the imposition of that hold, which must:

A. Include a concise statement of the basis for the administrative hold; [PL 2019, c. 491, §6 (NEW).]

B. Detail the cannabis, cannabis products or cannabis plants subject to the administrative hold; [PL 2019, c. 491, §6 (NEW); PL 2021, c. 669, §5 (REV).]

C. Describe any operational restrictions to be placed on the licensee's license during the duration of the administrative hold; and [PL 2019, c. 491, §6 (NEW).]

D. Indicate actions that must be taken by the licensee as a result of the administrative hold. [PL 2019, c. 491, §6 (NEW).]

An administrative hold takes effect at the time that the notice under this subsection is provided by the office to the licensee.
[PL 2023, c. 679, Pt. B, §136 (AMD).]

2. Licensee actions.
[PL 2023, c. 679, Pt. B, §136 (RP).]

3. Operational responsibilities and restrictions.
[PL 2023, c. 679, Pt. B, §136 (RP).]

3-A. Required, permitted or prohibited conduct during administrative holds. For the duration of an administrative hold, a licensee:

A. Shall physically segregate any cannabis, cannabis products or cannabis plants subject to the hold from any other cannabis, cannabis products or cannabis plants not subject to the hold; [PL 2023, c. 679, Pt. B, §136 (NEW).]

B. Shall maintain the licensed premises and otherwise continue to operate the cannabis establishment pursuant to the provisions of this chapter, the rules adopted pursuant to this chapter and the terms, conditions or provisions of the licensee's license and the provisions of the administrative hold; [PL 2023, c. 679, Pt. B, §136 (NEW).]

C. May, as applicable to the license type, cultivate, harvest, manufacture or otherwise maintain the cannabis, cannabis products or cannabis plants subject to the hold, unless specifically restricted by the office pursuant to subsection 1, paragraph C; [PL 2023, c. 679, Pt. B, §136 (NEW).]

D. May cultivate, manufacture, test or sell any cannabis, cannabis products or cannabis plants not subject to the administrative hold; and [PL 2023, c. 679, Pt. B, §136 (NEW).]

E. May not sell, give away, transfer, transport, dispose of or destroy any cannabis, cannabis products or cannabis plants subject to the hold. [PL 2023, c. 679, Pt. B, §136 (NEW).]
[PL 2023, c. 679, Pt. B, §136 (NEW).]

4. Termination; duration. The office may terminate an administrative hold at any time following the imposition of the hold, except that a hold under this section may not be imposed for a period exceeding 30 consecutive days from the date notice is provided to the licensee in accordance with subsection 1. Notice of termination of an administrative hold must be provided by the office to the licensee subject to the hold.
[PL 2023, c. 679, Pt. B, §136 (AMD).]

5. Department action; administrative hold not required prior to imposition of penalty.

[PL 2023, c. 679, Pt. B, §136 (RP).]

6. Administrative hold not required prior to imposition of penalty. The office is not required to impose an administrative hold on a licensee prior to imposing any penalty for any violation of the provisions of this chapter, the rules adopted pursuant to this chapter or the terms, conditions or provisions of the licensee's license.
[PL 2023, c. 679, Pt. B, §136 (NEW).]

SECTION HISTORY

PL 2019, c. 491, §6 (NEW). PL 2021, c. 669, §5 (REV). PL 2023, c. 679, Pt. B, §136 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 132nd Maine Legislature and is current through October 1, 2026. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.