

### §16503. Evidentiary burden

**1. Civil.** In a civil action or administrative proceeding under this chapter, a person claiming an exemption, exception, preemption or exclusion has the burden to prove the applicability of the exemption, exception, preemption or exclusion.

[PL 2005, c. 65, Pt. A, §2 (NEW).]

**2. Criminal.** In a criminal proceeding under this chapter, a person claiming an exemption, exception, preemption or exclusion has the burden to prove by a preponderance of the evidence any such affirmative defense.

[PL 2005, c. 65, Pt. A, §2 (NEW).]

#### SECTION HISTORY

PL 2005, c. 65, §A2 (NEW).

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