

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 322

H.P. 222

House of Representatives, February 3, 2025

**An Act to Promote Student Attendance in Schools by Requiring the
Commissioner of Education to Implement School Attendance Best
Practices**

Received by the Clerk of the House on January 30, 2025. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRENNAN of Portland.
Cosponsored by Senator ROTUNDO of Androscoggin and
Representatives: CLOUTIER of Lewiston, DODGE of Belfast, GATTINE of Westbrook,
GRAMLICH of Old Orchard Beach, MURPHY of Scarborough, SARGENT of York,
STOVER of Boothbay, Senator: RENY of Lincoln.

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

2 **Sec. 1. 20-A MRSA §3272**, as amended by PL 2021, c. 25, §1, is repealed.

3 **Sec. 2. 20-A MRSA §3273**, as amended by PL 2011, c. 614, §11, is repealed.

4 **Sec. 3. 20-A MRSA §5001-A, sub-§1-B** is enacted to read:

5 **1-B. Rulemaking.** To encourage and increase attendance, the commissioner shall
6 adopt rules to implement best practices to increase school attendance. Rules adopted
7 pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375,
8 subchapter 2-A.

9 **Sec. 4. 20-A MRSA c. 211, sub-c. 2**, as amended, is repealed.

10 **Sec. 5. 20-A MRSA §5401, sub-§7**, as enacted by PL 1981, c. 693, §§5 and 8, is
11 amended to read:

12 **7. Remote location.** If a student resides in a location remote from and inaccessible to
13 schools or public highways, the student's parents shall be responsible for providing
14 transportation to a public highway or paying board for the student within walking distance
15 of a school. ~~Failure of the parent to provide transportation or board shall be considered a~~
16 ~~violation of the truancy law.~~

17 **Sec. 6. 20-A MRSA §6810**, as amended by PL 2003, c. 533, §6, is repealed.

18 **Sec. 7. 22 MRSA §4002, sub-§1**, as amended by PL 2021, c. 176, §1, is further
19 amended to read:

20 **1. Abuse or neglect.** "Abuse or neglect" means a threat to a child's health or welfare
21 by physical, mental or emotional injury or impairment, sexual abuse or exploitation
22 including under Title 17-A, sections 282, 852, 853 and 855 or deprivation of essential
23 needs, or lack of protection from these, by a person responsible for the child. ~~"Abuse or~~
24 ~~neglect" also means truancy under Title 20-A, section 3272, subsection 2, paragraph C or~~
25 ~~section 5051-A, subsection 1, paragraph C or D when truancy is the result of neglect by a~~
26 ~~person responsible for the child.~~ "Abuse or neglect" also means a threat to a child's health
27 or welfare caused by child sex trafficking by any person, regardless of whether or not the
28 person is responsible for the child.

29 **Sec. 8. 22 MRSA §4002, sub-§6, ¶B-2**, as enacted by PL 2021, c. 176, §4, is
30 repealed.

31 **Sec. 9. Contingent effective date.** Those sections of this Act that repeal the Maine
32 Revised Statutes, Title 20-A, sections 3272, 3273 and 6810 and chapter 211, subchapter 2
33 and Title 22, section 4002, subsection 6, paragraph B-2 and that amend Title 20-A, section
34 5401, subsection 7 and Title 22, section 4002, subsection 1 do not take effect until:

35 1. The Commissioner of Education finally adopts rules pursuant to Title 20-A, section
36 5001-A, subsection 1-B; and

37 2. The Commissioner of Education notifies the Secretary of the Senate, the Clerk of
38 the House of Representatives and the Revisor of Statutes that the rules have been finally
39 adopted.

SUMMARY

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This bill repeals laws related to truancy. The bill instead requires the Commissioner of Education to adopt major substantive rules to implement best practices to increase school attendance. The sections of this bill that repeal the laws related to truancy do not go into effect until the Commissioner of Education finally adopts the rules to implement best practices to increase school attendance.