

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 975

H.P. 635

House of Representatives, March 11, 2025

**An Act to Repeal Laws Allowing Abortion and to Criminalize
Abortion**

Received by the Clerk of the House on March 7, 2025. Referred to the Committee on
Judiciary 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 GRIFFIN of Levant.
Cosponsored by Representative: LEMELIN of Chelsea.

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

2 **Sec. 1. 4 MRSA §152, sub-§8**, as amended by PL 1999, c. 547, Pt. B, §5 and
3 affected by §80, is repealed.

4 **Sec. 2. 14 MRSA §9002, sub-§9**, as enacted by PL 2023, c. 648, Pt. A, §1, is
5 amended to read:

6 **9. Reproductive health care services.** "Reproductive health care services" means all
7 supplies, care and services of a medical, behavioral health, mental health, surgical,
8 psychiatric, therapeutic, diagnostic, preventive, rehabilitative or supportive nature,
9 including medication, relating to pregnancy, contraception, assisted reproduction, or
10 pregnancy loss management ~~or the termination of a pregnancy~~ in accordance with the
11 applicable standard of care as defined by major medical professional organizations and
12 agencies with expertise in the field of reproductive health care.

13 **Sec. 3. 15 MRSA §321, sub-§2, ¶A**, as amended by PL 2023, c. 405, Pt. A, §32,
14 is further amended to read:

15 A. A person is charged with or convicted of a violation of Title 17-A, section 201,
16 202, 203, 204, 207, 207-A, 208, 208-A, 208-B, ~~208-C~~, 208-D, 208-E, ~~208-F~~, 209,
17 209-A, 210, 210-A, 210-B, 210-C, 211, 253, 301, 302, 303, 506-A or 556;

18 **Sec. 4. 17-A MRSA §2, sub-§14-B** is enacted to read:

19 **14-B. Human being.** "Human being" includes a human being beginning at the
20 moment of conception.

21 **Sec. 5. 17-A MRSA §2, sub-§20**, as enacted by PL 1975, c. 499, §1, is amended
22 to read:

23 **20. Person.** "Person," "another person" or "another," when "another" is used in
24 reference to a person, means a human being or an organization.

25 **Sec. 6. 17-A MRSA §207-A, sub-§1, ¶B**, as amended by PL 2023, c. 465, §3, is
26 further amended by amending subparagraph (1) to read:

27 (1) Has one or more prior convictions for violating paragraph A or for violating
28 section 208-D, 208-E, ~~208-F~~, 209-A, 210-B, 210-C or 211-A or one or more prior
29 convictions for engaging in conduct substantially similar to that contained in
30 paragraph A or in section 208-D, 208-E, ~~208-F~~, 209-A, 210-B, 210-C or 211-A in
31 another jurisdiction;

32 **Sec. 7. 17-A MRSA §207-A, sub-§1, ¶B**, as amended by PL 2023, c. 465, §3, is
33 further amended by amending subparagraph (4) to read:

34 (4) Has one or more prior convictions for violating section 208; or 208-B ~~or 208-C~~,
35 and the State had pled and proved that the victim of the applicable prior conviction
36 was a family or household member, as defined in Title 19-A, section 4102,
37 subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection
38 4, or has one or more prior convictions in another jurisdiction for engaging in
39 conduct substantially similar to that contained in section 208; or 208-B ~~or 208-C~~
40 and it had been pled and proved that the victim was a family or household member
41 or a dating partner.

1 **Sec. 8. 17-A MRSA §208-C**, as enacted by PL 2005, c. 408, §1, is repealed.

2 **Sec. 9. 17-A MRSA §208-F**, as amended by PL 2023, c. 465, §6, is repealed.

3 **Sec. 10. 17-A MRSA §209-A, sub-§1, ¶B**, as amended by PL 2023, c. 465, §8, is
4 further amended by amending subparagraph (1) to read:

5 (1) Has one or more prior convictions for violating paragraph A or for violating
6 section 207-A, 208-D, 208-E, ~~208-F~~, 210-B, 210-C or 211-A or one or more prior
7 convictions for engaging in conduct substantially similar to that contained in
8 paragraph A or in section 207-A, 208-D, 208-E, ~~208-F~~, 210-B, 210-C or 211-A in
9 another jurisdiction;

10 **Sec. 11. 17-A MRSA §209-A, sub-§1, ¶B**, as amended by PL 2023, c. 465, §8, is
11 further amended by amending subparagraph (4) to read:

12 (4) Has one or more prior convictions for violating section 208; or 208-B ~~or 208-C~~,
13 and the State had pled and proved that the victim of the applicable prior conviction
14 was a family or household member, as defined in Title 19-A, section 4102,
15 subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection
16 4, or has one or more prior convictions in another jurisdiction for engaging in
17 conduct substantially similar to that contained in section 208; or 208-B ~~or 208-C~~
18 and it had been pled and proved that the victim was a family or household member
19 or a dating partner.

20 **Sec. 12. 17-A MRSA §210-B, sub-§1, ¶B**, as amended by PL 2023, c. 465, §10,
21 is further amended by amending subparagraph (1) to read:

22 (1) Has one or more prior convictions for violating paragraph A or for violating
23 section 207-A, 208-D, 208-E, ~~208-F~~, 209-A, 210-C or 211-A or one or more prior
24 convictions for engaging in conduct substantially similar to that contained in
25 paragraph A or in section 207-A, 208-D, 208-E, ~~208-F~~, 209-A, 210-C or 211-A in
26 another jurisdiction;

27 **Sec. 13. 17-A MRSA §210-B, sub-§1, ¶B**, as amended by PL 2023, c. 465, §10,
28 is further amended by amending subparagraph (4) to read:

29 (4) Has one or more prior convictions for violating section 208; or 208-B ~~or 208-C~~,
30 and the State had pled and proved that the victim of the applicable prior conviction
31 was a family or household member, as defined in Title 19-A, section 4102,
32 subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection
33 4, or has one or more prior convictions in another jurisdiction for engaging in
34 conduct substantially similar to that contained in section 208; or 208-B ~~or 208-C~~
35 and it had been pled and proved that the victim was a family or household member
36 or a dating partner.

37 **Sec. 14. 17-A MRSA §210-C, sub-§1, ¶B**, as amended by PL 2023, c. 465, §12,
38 is further amended by amending subparagraph (1) to read:

39 (1) Has one or more prior convictions for violating paragraph A or for violating
40 section 207-A, 208-D, 208-E, ~~208-F~~, 209-A, 210-B or 211-A or one or more prior
41 convictions for engaging in conduct substantially similar to that contained in
42 paragraph A or in section 207-A, 208-D, 208-E, ~~208-F~~, 209-A, 210-B or 211-A in
43 another jurisdiction;

1 **Sec. 15. 17-A MRSA §210-C, sub-§1, ¶B**, as amended by PL 2023, c. 465, §12,
2 is further amended by amending subparagraph (4) to read:

3 (4) Has one or more prior convictions for violating section 208; or 208-B ~~or 208-C~~,
4 and the State had pled and proved that the victim of the applicable prior conviction
5 was a family or household member, as defined in Title 19-A, section 4102,
6 subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection
7 4, or has one or more prior convictions in another jurisdiction for engaging in
8 conduct substantially similar to that contained in section 208; or 208-B ~~or 208-C~~
9 and it had been pled and proved that the victim was a family or household member
10 or a dating partner.

11 **Sec. 16. 17-A MRSA §211-A, sub-§1, ¶B**, as amended by PL 2023, c. 465, §14,
12 is further amended by amending subparagraph (1) to read:

13 (1) Has one or more prior convictions for violating paragraph A or for violating
14 section 207-A, 208-D, 208-E, ~~208-F~~; 209-A, 210-B or 210-C or one or more prior
15 convictions for engaging in conduct substantially similar to that contained in
16 paragraph A or in section 207-A, 208-D, 208-E, ~~208-F~~; 209-A, 210-B or 210-C in
17 another jurisdiction;

18 **Sec. 17. 17-A MRSA §211-A, sub-§1, ¶B**, as amended by PL 2023, c. 465, §14,
19 is further amended by amending subparagraph (4) to read:

20 (4) Has one or more prior convictions for violating section 208; or 208-B ~~or 208-C~~,
21 and the State had pled and proved that the victim of the applicable prior conviction
22 was a family or household member, as defined in Title 19-A, section 4102,
23 subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection
24 4, or has one or more prior convictions in another jurisdiction for engaging in
25 conduct substantially similar to that contained in section 208; or 208-B ~~or 208-C~~
26 and it had been pled and proved that the victim was a family or household member
27 or a dating partner.

28 **Sec. 18. 19-A MRSA §4114, sub-§5, ¶C**, as enacted by PL 2021, c. 647, Pt. A,
29 §3 and affected by Pt. B, §65, is amended to read:

30 C. There has been a violation of Title 17-A, section 208-D; or 208-E ~~or 208-F~~.

31 **Sec. 19. 22 MRSA §261, sub-§6**, as amended by PL 2017, c. 203, §1, is further
32 amended to read:

33 **6. Limitations.** The panel coordinator may not proceed with voluntary interviews
34 without the permission of the family. ~~The panel coordinator may not photocopy or retain~~
35 ~~copies of medical records or review cases of abortion.~~ In performing work under this
36 section, the panel coordinator shall minimize the burden imposed on health care
37 practitioners, hospitals and facilities.

38 **Sec. 20. 22 MRSA §335, sub-§1, ¶G**, as enacted by PL 2023, c. 343, §4, is
39 amended to read:

40 G. In the case of a project requiring a certificate of need pursuant to section 329,
41 subsection 1 or section 329, subsection 4-A, paragraph B, will not cause a reduction in
42 access to, geographic proximity of, timeliness of or quality of any family planning
43 services, as defined in section 1902, subsection 4, ~~or any abortion services~~, except that

1 the commissioner may approve a project that will cause such a reduction if the
2 commissioner finds:

3 (1) That the project is economically and financially feasible only if an obstetrical
4 care service is closed or reduced in capacity; and

5 (2) After considering all reasonable alternatives, that access to other health care
6 services will be substantially reduced if the project is not approved.

7 **Sec. 21. 22 MRSA §336, sub-§3**, as amended by PL 2023, c. 343, §6, is further
8 amended by amending the first blocked paragraph to read:

9 The commissioner may not find that a project primarily involves day-to-day operation of
10 the facility in its current form if the commissioner finds that the project would result in a
11 reduction of access to, geographic proximity of, timeliness of or quality of any family
12 planning services, as defined in section 1902, subsection 4, ~~or any abortion services~~ unless
13 the commissioner determines that the exceptions described in section 335, subsection 1,
14 paragraph G are met.

15 **Sec. 22. 22 MRSA c. 263-B**, as amended, is repealed.

16 **Sec. 23. 22 MRSA §1902, sub-§4**, as amended by PL 2019, c. 236, §3, is further
17 amended to read:

18 **4. Family planning services.** "Family planning services" means medically safe and
19 effective sexual and reproductive health care and education that enable persons to freely
20 plan their children, avoid unintended pregnancy and maintain reproductive and sexual
21 health through the provision of contraceptive supplies, contraceptive procedures and
22 related counseling; the prevention and treatment of infertility; appropriate prenatal and
23 obstetric care; the prevention or treatment of sexually transmitted infections; and other
24 services necessary for reproductive and sexual health. "Family planning services" does not
25 include health care and education relating to abortion.

26 **Sec. 24. 22 MRSA §2841**, as amended by PL 2013, c. 14, §§1 and 2, is further
27 amended by amending the section headnote to read:

28 **§2841. Registration of fetal deaths; miscarriage**

29 **Sec. 25. 22 MRSA §2841, first ¶**, as amended by PL 2013, c. 14, §1, is further
30 amended to read:

31 Except as authorized by the department or as ~~required under section 1596~~ provided in
32 subsection 5, a certificate of each death of a fetus of 20 or more weeks of gestation that
33 occurs in this State must be filed with the State Registrar of Vital Statistics or the clerk of
34 the municipality where the delivery occurred within 14 days after delivery and prior to
35 removal of the fetus from the State.

36 **Sec. 26. 22 MRSA §2841, sub-§5** is enacted to read:

37 **5. Miscarriage reports.** A report of each miscarriage must be made by the health care
38 professional in attendance at or after the occurrence of the miscarriage to the department
39 on forms prescribed by the department. These report forms must contain all of the
40 applicable information required on the certificate of fetal death in current use. The report
41 form must be prepared and signed by the health care professional in attendance at or after
42 the occurrence of the miscarriage and transmitted to the department not later than 10 days

1 following the end of the month in which the miscarriage occurs. The identity of any patient
2 or of any health care professional reporting pursuant to this subsection is confidential, and
3 the department shall take the steps necessary to ensure the confidentiality of the identity of
4 any patients or of any health care professionals reporting pursuant to this subsection.

5 **Sec. 27. 22 MRSA §2841-A, sub-§1-A** is enacted to read:

6 **1-A. Abortion.** "Abortion" means the intentional interruption of a pregnancy by the
7 application of external agents, whether chemical or physical, or the ingestion of chemical
8 agents with an intention other than to produce a live birth or to remove a dead fetus,
9 regardless of the length of gestation.

10 **Sec. 28. 22 MRSA §2841-A, sub-§1-B** is enacted to read:

11 **1-B. Miscarriage.** "Miscarriage" means an interruption of a pregnancy other than by
12 abortion of a fetus of less than 20 weeks gestation.

13 **Sec. 29. 22 MRSA §3196**, as enacted by PL 2019, c. 274, §1, is repealed.

14 **Sec. 30. 22 MRSA §8705-A, sub-§2, ¶C**, as enacted by PL 2003, c. 659, §2, is
15 amended to read:

16 C. Intentionally or knowingly and without authorization using or disseminating health
17 care information that directly or indirectly identifies patients or health care
18 practitioners performing abortions as defined in section 1596 in miscarriage reports
19 pursuant to section 2841, subsection 5.

20 **Sec. 31. 22 MRSA §8707, sub-§1**, as amended by PL 2001, c. 457, §14, is further
21 amended to read:

22 **1. Public access; confidentiality.** The board shall adopt rules making available to
23 any person, upon request, information, except privileged medical information and
24 confidential information, provided to the organization under this chapter as long as
25 individual patients are not directly or indirectly identified through a reidentification
26 process. The board shall adopt rules to protect the identity of certain health care
27 practitioners, as it determines appropriate, ~~except that the identity of practitioners~~
28 ~~performing abortions as defined in section 1596 must be designated as confidential and~~
29 ~~must be protected.~~ Rules adopted pursuant to this subsection are major substantive rules
30 as defined in Title 5, chapter 375, subchapter H-A 2-A.

31 **Sec. 32. 22 MRSA §8714, sub-§4**, as enacted by PL 2013, c. 528, §10 and affected
32 by §12, is amended to read:

33 **4. Certain practitioners.** The board shall adopt rules to protect the identity of certain
34 health care practitioners, as it determines appropriate, ~~except that the identity of~~
35 ~~practitioners performing abortions as defined in section 1596 must be designated as~~
36 ~~confidential and may not be disclosed.~~

37 **Sec. 33. 24 MRSA §2317-B, sub-§21**, as repealed and replaced by PL 2019, c.
38 605, §2, is amended to read:

39 **21. Title 24-A, sections 2765-A and 2847-U.** The practice of dental therapy by a
40 dental therapist, Title 24-A, sections 2765-A and 2847-U; and

