

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1348

S.P. 565

In Senate, April 1, 2025

An Act to Increase the Limit on Damages Under the Maine Tort Claims Act for Negligence Involving School Field Trips

Received by the Secretary of the Senate on March 28, 2025. Referred to the Committee on
Judiciary pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LAWRENCE of York.

Cosponsored by Representatives: GRAMLICH of Old Orchard Beach, LEE of Auburn.

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

Sec. 1. 14 MRSA §8102, sub-§1-D is enacted to read:

1-D. Field trip. "Field trip" means an excursion of students conducted by an elementary or secondary school to a location away from the school for educational or recreational purposes. "Field trip" does not include a sporting, extracurricular, club or other event or activity in which there is an inherent risk of physical injury.

Sec. 2. 14 MRSA §8105, sub-§1, as amended by PL 1999, c. 460, §1 and affected by §2, is further amended to read:

1. Limit established. ~~In~~ Except as provided in subsection 6, in any claim or cause of action permitted by this chapter, the award of damages, including costs, against either a governmental entity or its employees, or both, may not exceed \$400,000 for any ~~and all~~ claims arising out of a single occurrence.

Sec. 3. 14 MRSA §8105, sub-§6 is enacted to read:

6. Field trips. In a claim or cause of action permitted by this chapter, the award of damages, including costs, against a governmental entity for a negligent act or omission in the planning, transportation, administration, supervision or execution of a field trip may not exceed \$5,000,000 for any claims arising out of a single occurrence.

SUMMARY

This bill increases the limit for damages under the Maine Tort Claims Act from \$400,000 to \$5,000,000 for a negligent act or omission by a governmental entity in the planning, transportation, administration, supervision or execution of a school field trip.