

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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**Legislative Document**

**No. 1958**

S.P. 765

In Senate, May 7, 2025

### **An Act to Ensure Due Process for Recipients of No Trespass Orders on Certain State Properties**

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Reference to the Committee on Judiciary suggested 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 GROHOSKI of Hancock.  
Cosponsored by Representative MILLIKEN of Blue Hill and  
Senators: BENNETT of Oxford, HICKMAN of Kennebec, TALBOT ROSS of Cumberland,  
TIPPING of Penobscot, Representatives: HASENFUS of Readfield, HENDERSON of  
Rumford, LEE of Auburn, POIRIER of Skowhegan.

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

2                                   **CONCEPT DRAFT**

3                                   **SUMMARY**

4               This bill is a concept draft pursuant to Joint Rule 208.

5               The bill would ensure due process for a recipient of a no trespass order from a State  
6 Government entity that prohibits the recipient of the order from accessing certain state  
7 properties.

8               1. The legislation is limited to state properties where the public accesses state services  
9 and where the public has a reasonable expectation of entry.

10              2. The no trespass order must include a reason for the order that is available to the  
11 recipient of the order upon request of the recipient of the order.

12              3. The allowable reasons to serve such a no trespass order are harassment of the State  
13 Government entity as defined in the Maine Revised Statutes, Title 5, section 4651,  
14 subsection 2 or a refusal to leave the state property upon request 3 or more times in a one-  
15 month period.

16              4. The recipient of the no trespass order may contest the order within 14 days of the  
17 receipt of the order.

18              5. The court must set a date for return within 7 days of the recipient's contesting the  
19 order.

20              6. In a court proceeding on the issuance of such a no trespass order, the court must use  
21 the procedure as described for the issuance of a protection from abuse order under Title  
22 19-A, chapter 103 and ensure that a defendant in a proceeding on the issuance of a no  
23 trespass order receives the same due process protections as a defendant in a proceeding on  
24 the issuance of a protection from abuse order.