

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

SECOND REGULAR SESSION
JANUARY 7, 2026 to APRIL 29, 2026

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Augusta, Maine
2026

at the conclusion of the hearing, the court determines that the person has satisfied the burden of proof, it shall find that the person has not been convicted of the new crime and issue a written order certifying this determination. A copy of the court's written order must be provided to the person and the prosecutorial office that represented the State.

C. If the person does not request a hearing under paragraph A, the court shall determine that the person has not satisfied the burden of proof and the court shall find that the person has been convicted of the new crime and as a consequence is no longer eligible for the sealing order and shall issue a written order unsealing the criminal history record information, with written findings of fact. A copy of the court's written order must be provided to the person and the prosecutorial office that represented the State.

See title page for effective date.

CHAPTER 514

H.P. 1268 - L.D. 1897

An Act Regarding Outdoor Cultivation in the Medical Use Cannabis and Adult Use Cannabis Industries

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

Sec. 1. 22 MRSA §2423-A, sub-§2, ¶A, as amended by PL 2017, c. 452, §4 and PL 2021, c. 669, §5, is further amended to read:

A. Possess all harvested cannabis produced by the caregiver's cultivation of cannabis plants under paragraph B or B-1;

Sec. 2. 22 MRSA §2423-A, sub-§2, ¶B, as amended by PL 2021, c. 662, §10 and c. 669, §5, is further amended to read:

B. Cultivate up to 30 mature cannabis plants, up to 60 immature cannabis plants and unlimited seedlings or cultivate up to 500 square feet of mature plant canopy, up to 1,000 square feet of immature plant canopy and unlimited seedlings. A caregiver may not cultivate immature plants by canopy if cultivating mature plants by plant count and may not cultivate immature plants by plant count if cultivating mature plants by canopy. A caregiver cultivating cannabis under this paragraph may not cultivate cannabis under paragraph B-1;

Sec. 3. 22 MRSA §2423-A, sub-§2, ¶B-1 is enacted to read:

B-1. Notwithstanding paragraph B, for a caregiver who cultivates mature cannabis plants only in an

outdoor cultivation area, cultivate between the months of March and December up to 150 mature cannabis plants, up to 300 immature cannabis plants and unlimited seedlings or cultivate between the months of March and December up to 2,500 square feet of mature plant canopy, up to 5,000 square feet of immature plant canopy and unlimited seedlings. A caregiver may not cultivate immature plants by canopy if cultivating mature plants by plant count and may not cultivate immature plants by plant count if cultivating mature plants by canopy. A caregiver cultivating cannabis under this paragraph may not cultivate cannabis under paragraph B. For the purposes of this paragraph, "outdoor cultivation area" means a cultivation area that primarily uses sunlight for the cultivation of mature cannabis plants;

Sec. 4. 22 MRSA §2423-A, sub-§3, ¶B, as amended by PL 2023, c. 679, Pt. A, §6, is further amended to read:

B. A caregiver cultivating cannabis plants for a patient's medical use ~~must~~ shall keep all plants in a cultivation area unless the plants are being transported pursuant to subsection 2, paragraph O. The cultivation area must be enclosed and equipped with locks or other security devices that permit access only by a person authorized to have access to the area under this chapter.

(1) The caregiver shall ensure that the mature cannabis plants, immature cannabis plants and seedlings cultivated by the caregiver are kept in separate cultivation areas. The cultivation area for mature cannabis plants and the cultivation area for immature cannabis plants and seedlings may be located on separate parcels or tracts of land, whether the parcels or tracts of land are contiguous or noncontiguous, as long as the caregiver discloses the locations of all cultivation areas to the department. The caregiver may not maintain more than 2 cultivation areas. The caregiver shall ensure that the cultivation area for mature cannabis plants and the cultivation area for immature cannabis plants comply with the plant count or plant canopy limitations of subsection 2, paragraph B or B-1.

(2) Access to cultivation areas is limited to the caregiver, except that ~~an elected official invited by the caregiver for the purpose of providing education to the elected official on cultivation by the caregiver~~, emergency services personnel, an assistant of a caregiver or a cannabis testing facility ~~or~~, a person who needs to gain access to a cultivation area in order to perform repairs or maintenance or to do construction may access a cultivation area to

provide those professional services while under the direct supervision of the caregiver or another person under the direct supervision of the caregiver.

Sec. 5. 22 MRSA §2425-A, sub-§10, ¶B-1 is enacted to read:

B-1. There is an annual registration fee for a caregiver who cultivates cannabis plants on behalf of a qualifying patient pursuant to section 2423-A, subsection 2, paragraph B-1.

(1) For a caregiver registering based upon plant count, the fee may not be less than \$50 or more than \$240 for each group of up to 30 mature cannabis plants cultivated by the caregiver. The caregiver shall notify the department of the number of cannabis plants the caregiver cultivates in the calendar year, which may not exceed the maximum number established in section 2423-A, subsection 2, paragraph B-1.

(2) For a caregiver registering based upon plant canopy, the fee may not be less than \$50 or more than \$1,500 for a total mature plant canopy of 2,500 square feet or less in the calendar year.

Sec. 6. 28-B MRSA §102-A, sub-§32-A is enacted to read:

32-A. Indoor cultivation. "Indoor cultivation" means cultivation of mature cannabis plants that does not meet the definition of "outdoor cultivation" under subsection 41-A.

Sec. 7. 28-B MRSA §102-A, sub-§41-A is enacted to read:

41-A. Outdoor cultivation. "Outdoor cultivation" means cultivation of mature cannabis plants between the months of March and December in a cultivation area that primarily uses sunlight for such cultivation.

See title page for effective date.

CHAPTER 515

H.P. 1288 - L.D. 1927

An Act to Add Mold to the Implied Warranty and Covenant of Habitability

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

Sec. 1. 14 MRSA §6021, sub-§1, as enacted by PL 1977, c. 401, §4, is repealed and the following enacted in its place:

1. Definition. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Dwelling unit" includes mobile homes, apartments, buildings and other structures, including the common areas thereof, that are rented for human habitation.

B. "Leaking event" means a water leak from flooding or a system or structural failure, such as a failure of a roof, window, door, plumbing system, foundation or appliance.

Sec. 2. 14 MRSA §6021, sub-§6-B is enacted to read:

6-B. Mold; bacteria; other biological organisms. It is a breach of the implied warranty of fitness for human habitation when a landlord offers for rent a dwelling unit in which there is a leaking event, chronic moisture or humidity conditions outside of the control of a tenant that result in the growth of mold, bacteria or other biological organisms.

A municipality may adopt more stringent standards by ordinance than those provided in this section.

See title page for effective date.

CHAPTER 516

H.P. 1295 - L.D. 1934

An Act to Promote Responsible Outdoor Lighting

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

Sec. 1. 5 MRSA c. 21 is enacted to read:

CHAPTER 21

RESPONSIBLE OUTDOOR LIGHTING

§481. Responsible outdoor lighting

1. Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings:

A. "ANSI/IES lighting standard" means a standard developed by the Illuminating Engineering Society and adopted by the American National Standards Institute or successor organizations to describe adequate outdoor lighting that does not unnecessarily brighten the night sky when used for particular purposes or in particular settings, including, but not limited to, the following standards:

(1) RP-6: outdoor sports and recreational areas;

(2) RP-7: outdoor industrial areas;

(3) RP-8: roadway and parking facilities;