

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

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NONEMERGENCY LAWS IS
JULY 29, 2026

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2026

process as established in chapter 709, and without a legitimate business purpose, disclose to any person the personal information of a known tenant, prospective tenant, occupant or prospective occupant of a rental property owned or managed by the landlord without the express consent of the known or prospective tenant or occupant.

3. Exceptions. Notwithstanding subsection 2, a landlord, a landlord's agent and any other person acting under the direction of the landlord may disclose the personal information of a tenant, prospective tenant, occupant or prospective occupant of the rental property owned or managed by the landlord if the disclosure is:

A. In response to a valid discovery request, subpoena or judicial warrant with respect to any state administrative proceeding, state or federal judicial proceeding or state or federal criminal investigation;

B. Made to a state, local or county law enforcement agency in the State due to exigent circumstances or as reasonably necessary to prevent or prosecute a criminal act;

C. Reasonably necessary for the sale or refinancing of the property subject to the tenancy;

D. Reasonably necessary for the application for or receipt of funds and services related to federally supported or state-supported affordable housing programs; or

E. Reasonably necessary to respond to a request from a municipal code enforcement officer, fire inspector or similar municipal officer.

4. Remedy. If a landlord, a landlord's agent or any other person acting under the direction of the landlord discloses personal information in violation of this section, the tenant, prospective tenant, occupant or prospective occupant whose personal information was disclosed may recover actual damages or \$1,000, whichever is greater, and obtain injunctive relief to prevent the recurrence of the conduct. If the tenant, prospective tenant, occupant or prospective occupant obtains a judgment after a contested hearing, the tenant, prospective tenant, occupant or prospective occupant whose personal information was disclosed may recover reasonable attorney's fees.

See title page for effective date.

CHAPTER 768

H.P. 452 - L.D. 713

An Act to Exclude Data Centers from the Business Equipment Tax Exemption and the Dirigo Business Incentives Program and to Require the Department of Economic and Community Development to Study Financial Incentives for Data Centers

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

Sec. 1. 36 MRSA §691, sub-§1, ¶A, as amended by PL 2023, c. 588, §§3 to 5 and affected by §7, is further amended by amending subparagraph (8) to read:

(8) Personal property that would otherwise be entitled to exemption under this subchapter used primarily to support a telecommunications antenna used by a telecommunications business subject to the tax imposed by section 457; ~~or~~

Sec. 2. 36 MRSA §691, sub-§1, ¶A, as amended by PL 2023, c. 588, §§3 to 5 and affected by §7, is further amended by amending subparagraph (9) to read:

(9) A facility that stores spent nuclear fuel, as defined in Title 22, section 673, subsection 18, or radioactive waste classified by the United States Nuclear Regulatory Commission as greater-than-Class C waste; ~~or~~

Sec. 3. 36 MRSA §691, sub-§1, ¶A, as amended by PL 2023, c. 588, §§3 to 5 and affected by §7, is further amended by enacting a new subparagraph (10) to read:

(10) Any property located in a data center or in the portion of a facility that constitutes a data center that begins operations on or after August 1, 2026, including any property located in a data center or in the portion of a facility that constitutes a data center that is part of an expansion or project after August 1, 2026. For the purposes of this subparagraph, "begins operations" means that the data center has installed operational computer and networking equipment and is performing data processing, data storage, cloud computing or similar computing infrastructure services. "Begins operations" does not include construction, site preparation or equipment installation.

Sec. 4. 36 MRSA §691, sub-§1, ¶A-1 is enacted to read:

A-1. "Data center" means any facility in the State, which may be a freestanding structure or a facility within a larger structure, that primarily contains electronic equipment used for data processing, data storage, cloud computing or similar computing infrastructure services that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment. "Data center" does not include a facility or portion of a facility containing electronic equipment that is incidental to and used in support of a business whose primary business activity is not the performance of data processing, data storage, cloud computing or similar computing infrastructure services.

Sec. 5. 36 MRSA §5219-AAA, sub-§1, ¶C-1 is enacted to read:

C-1. "Data center" means any facility in the State, which may be a freestanding structure or a facility within a larger structure, that primarily contains electronic equipment used for data processing, data storage, cloud computing or similar computing infrastructure services that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment. "Data center" does not include a facility or portion of a facility containing electronic equipment that is incidental to and used in support of a business whose primary business activity is not the performance of data processing, data storage, cloud computing or similar computing infrastructure services.

Sec. 6. 36 MRSA §5219-AAA, sub-§1, ¶G, as enacted by PL 2023, c. 412, Pt. J, §13, is amended by amending subparagraph (4) to read:

(4) Software publishing, data processing and computer design services, excluding services performed at a data center; or

Sec. 7. 36 MRSA §5219-AAA, sub-§3, ¶D, as enacted by PL 2023, c. 412, Pt. J, §13, is amended to read:

D. A business with a certificate of approval for one of the tax credits allowed under section 5219-RR or 5219-YY; ~~or~~

Sec. 8. 36 MRSA §5219-AAA, sub-§3, ¶E, as enacted by PL 2023, c. 412, Pt. J, §13, is amended to read:

E. A business that has undergone a layoff within the past 2 tax years; or

Sec. 9. 36 MRSA §5219-AAA, sub-§3, ¶F is enacted to read:

F. A business that is a data center that begins operations on or after August 1, 2026. For the purposes of this paragraph, "begins operations" means that the data center has installed operational computer and networking equipment and is performing

data processing, data storage, cloud computing or similar computing infrastructure services. "Begins operations" does not include construction, site preparation or equipment installation.

Sec. 10. Department of Economic and Community Development to study financial incentives that data centers may benefit from. The Department of Economic and Community Development shall study potential financial incentives that data centers may benefit from based on current state laws. The department shall submit a report based on the study, including suggested legislation, no later than November 4, 2026 to the joint standing committee of the Legislature having jurisdiction over taxation matters. The committee may report out legislation related to the report to the 133rd Legislature in 2027. For the purposes of this section, "data center" has the same meaning as in the Maine Revised Statutes, Title 36, section 691, subsection 1, paragraph A-1.

See title page for effective date.

CHAPTER 769

H.P. 1004 - L.D. 1519

An Act to Create a Stewardship Program for Electronic Smoking Devices and Related Products

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

Sec. 1. 38 MRSA §1306, sub-§8 is enacted to read:

8. Electronic smoking devices. Beginning on the date that an approved electronic smoking device stewardship plan is first implemented by a producer or electronic smoking device stewardship organization pursuant to section 1618, subsection 8, a person may not dispose of an electronic smoking device except in accordance with an electronic smoking device stewardship program implemented under section 1618 or by delivery to a licensed hazardous waste transporter.

This subsection may not be construed to affect existing laws, rules or regulations governing the disposal of electronic smoking devices prior to the date that an approved electronic smoking device stewardship plan is first implemented by a producer or electronic smoking device stewardship organization pursuant to section 1618, subsection 8.

As used in this subsection, "electronic smoking device," "electronic smoking device stewardship organization," "electronic smoking device stewardship plan," "electronic smoking device stewardship program" and "producer" have the same meanings as in section 1618, subsection 1.