

# MAINE STATE LEGISLATURE

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MAJORITY

L.D. 531

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JUDICIARY

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STATE OF MAINE

SENATE

127TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 200, L.D. 531, Bill, "An Act To Establish the Maine Fourth Amendment Protection Act"

Amend the bill in section 1 by striking out all of §672 and inserting the following:

**§672. Prohibition on assistance to federal agencies engaged in collection of electronic data or metadata**

**1. Prohibition.** The State and its political subdivisions may assist, participate with, benefit from or provide material support or resources to enable or facilitate a federal agency in the collection or use of a person's electronic data or metadata only if:

A. The collection is pursuant to that person's informed consent;

B. The collection is pursuant to a warrant based upon probable cause that particularly describes the person, place or thing to be searched or seized;

C. The State, the political subdivision of the State or the federal agency is acting in accordance with a legally recognized exception to the warrant requirements; or

D. The electronic data or metadata is otherwise in the legal possession of the State or its political subdivision.

**2. Application.** This section applies to electronic data and metadata associated with a person's landline, cellular or satellite telephone; handheld electronic device; global positioning system device; personal computer; e-mail account; private messaging service; or cloud database service.'

SUMMARY

This amendment clarifies the language in the bill concerning the permitted activities of the State and its political subdivisions in participating with a federal agency in the collection and use of a person's electronic data and metadata. It also specifies that the prohibition applies to electronic data and metadata associated with a person's landline, cellular or satellite telephone, handheld electronic device, global positioning system

**COMMITTEE AMENDMENT**

ROFS

COMMITTEE AMENDMENT " A " to S.P. 200, L.D. 531

1 device, personal computer, e-mail account, private messaging service or cloud database  
2 service.

**COMMITTEE AMENDMENT**