

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 527

H.P. 371

House of Representatives, February 9, 2017

An Act To Prohibit Corporal Punishment in Schools

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TERRY of Gorham.
Cosponsored by Representative PIERCE of Falmouth and
Representative: GROHMAN of Biddeford.

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

2 **Sec. 1. 20-A MRSA §1, sub-§6-B** is enacted to read:

3 **6-B. Corporal punishment.** "Corporal punishment" means any form of discipline
4 or punishment involving offensive physical contact with or inflicting physical pain or
5 discomfort on a student. "Corporal punishment" does not include the use of physical
6 restraint to protect the student or others from immediate harm.

7 **Sec. 2. 20-A MRSA §4009, sub-§2,** as enacted by PL 1981, c. 693, §§5 and 8, is
8 amended to read:

9 **2. Exceptions.** Subsection 1 ~~shall~~ does not apply to the intentional or reckless use of
10 force that creates a substantial risk of death, serious bodily injury or extraordinary pain or
11 to the rendering of corporal punishment.

12 **Sec. 3. 20-A MRSA §4013** is enacted to read:

13 **§4013. Corporal punishment prohibited**

14 The imposition of corporal punishment is prohibited in an elementary or secondary
15 school or any public or private preschool program that provides instruction to children
16 who are 4 years of age.

17 **SUMMARY**

18 This bill prohibits the imposition of corporal punishment in elementary and
19 secondary schools and preschool programs. "Corporal punishment" means any form of
20 discipline or punishment involving offensive physical contact with or inflicting physical
21 pain or discomfort on a student. "Corporal punishment" does not include the use of
22 physical restraint to protect the student or others from immediate harm.