

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1097

S.P. 329

In Senate, March 5, 2019

An Act To Protect Tenants from Sexual Harassment

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LUCHINI of Hancock.

Cosponsored by Senators: CARPENTER of Aroostook, President JACKSON of Aroostook,
Representatives: FECTEAU of Biddeford, HICKMAN of Winthrop, SCHNECK of Bangor,
WARREN of Hallowell.

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

2 **Sec. 1. 14 MRSA §6000, sub-§2-A** is enacted to read:

3 **2-A. Sexual harassment.** "Sexual harassment" means verbal or physical conduct of
4 a sexual nature directed at a specific person, including, but not limited to, unwelcome
5 sexual advances; sexually suggestive remarks or actions; unwanted hugs, touches or
6 kisses; and requests for sexual favors.

7 **Sec. 2. 14 MRSA §6001, sub-§3, ¶E,** as amended by PL 2015, c. 293, §3, is
8 further amended to read:

9 E. Prior to being served with an eviction notice, filed, in good faith, a fair housing
10 complaint for which there is a reasonable basis with the Maine Human Rights
11 Commission or filed, in good faith, a fair housing complaint for which there is a
12 reasonable basis with the United States Department of Housing and Urban
13 Development concerning acts affecting that individual's tenancy; or

14 **Sec. 3. 14 MRSA §6001, sub-§3, ¶F,** as enacted by PL 2015, c. 293, §4, is
15 amended to read:

16 F. Prior to being served with an eviction notice, provided the landlord or the
17 landlord's agent with notice that the tenant or tenant's minor child is a victim; or

18 **Sec. 4. 14 MRSA §6001, sub-§3, ¶G** is enacted to read:

19 G. Complained in writing to the landlord or the landlord's agent of an act of sexual
20 harassment by the landlord or landlord's agent against the tenant or a family or
21 household member of the tenant.

22 **Sec. 5. 14 MRSA §6016-A** is enacted to read:

23 **§6016-A. Maine Human Rights Act**

24 Nothing in this subchapter limits the application of the Maine Human Rights Act.

25 **SUMMARY**

26 This bill creates a rebuttable presumption that a forcible entry and detainer action was
27 commenced in retaliation against a tenant if the tenant had made a complaint of an act of
28 sexual harassment by the landlord or landlord's agent. The bill defines "sexual
29 harassment."