MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

An Act To Eliminate Qualified Immunity for Police Officers

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

Sec. 1. 5 MRSA §4682, sub-§6 is enacted to read:

6. Qualified immunity; civil actions. Qualified immunity, including the immunity provided by Title 14, section 8103, is not a defense to a civil action brought pursuant to this section when the civil action concerns the actions of a state police officer, as defined in section 17708; a marine patrol officer, as described in Title 12, section 6025; a game warden, as described in Title 12, chapter 905, subchapter 1; a Capitol Police officer appointed pursuant to Title 25, section 2908; a deputy, as defined in Title 30-A, section 351; a sheriff elected or appointed pursuant to Title 30-A, section 371-B; a constable, as described in Title 30-A, section 2673; or a police officer appointed by municipal officers pursuant to Title 30-A, section 2671.

SUMMARY

This bill eliminates the ability to assert a defense of qualified immunity for civil actions concerning the actions of state police officers, sheriffs, deputies, constables, municipal police officers, marine patrol officers, game wardens and Capitol Police officers brought under the Maine Civil Rights Act.