MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1044

H.P. 772

House of Representatives, March 10, 2021

An Act To Protect the Rights of Certain Incarcerated Individuals

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative WARREN of Hallowell.

Cosponsored by Representatives: BAILEY of Gorham, Speaker FECTEAU of Biddeford, MORALES of South Portland, OSHER of Orono, RECKITT of South Portland, TALBOT ROSS of Portland, WOOD of Portland, Senator: DAUGHTRY of Cumberland.

2 3	Sec. 1. 34-A MRSA §3031, sub-§8, as amended by PL 2019, c. 139, §2, is further amended to read:
4 5 6 7	8. Visitation. A reasonable opportunity to visit with relatives and friends, in accordance with departmental policies and institutional procedures, provided except that the department may restrict or prohibit visits when the restriction or prohibition is necessary for the security of the institution; and
8 9	Sec. 2. 34-A MRSA §3031, sub-§9, as enacted by PL 2019, c. 139, §3, is amended to read:
10 11 12 13	9. Menstrual products. Comprehensive access to menstrual products, including, but not limited to, sanitary pads and tampons, provided and available at all times and without inconvenience or charge to a person who menstruates who resides in a correctional or detention facility-; and
14	Sec. 3. 34-A MRSA §3031, sub-§10 is enacted to read:
15 16 17 18 19	10. Gender affirmation. Have the person's consistently held gender identity respected and acknowledged, irrespective of anatomy or physique, including ensuring housing and search procedures that are consistent with the gender identity and for all staff and representatives of the correctional or detention facility use the pronouns, titles and names as identified by the person.
20	SUMMARY
21 22 23	The bill provides to a person residing in a correctional or detention facility the right to have that person's consistently held gender identity respected and acknowledged and to have staff and representatives of the correctional or detention facility use the pronouns,

titles and names identified by the person.

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

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