

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2022

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Legislative Document

No. 1899

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H.P. 1406

House of Representatives, January 5, 2022

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### **An Act To Ensure Safe Entry and Access for People Seeking Health Care and Other Constitutional Rights**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative McCREIGHT of Harpswell.  
Cosponsored by Senator DAUGHTRY of Cumberland and  
Representatives: Speaker FECTEAU of Biddeford, HARNETT of Gardiner, MEYER of Eliot,  
RECKITT of South Portland, TALBOT ROSS of Portland, TEPLER of Topsham, Senators:  
CARNEY of Cumberland, VITELLI of Sagadahoc.

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

2 **Sec. 1. 5 MRSA §4684-B, sub-§1, ¶B-1** is enacted to read:

3 B-1. "Medical safety zone" means an area extending 8 feet from the entrance of a  
4 building in which patients receive health services.

5 **Sec. 2. 5 MRSA §4684-B, sub-§2**, as enacted by PL 1995, c. 417, §3, is amended  
6 to read:

7 **2. ~~Violation~~ Intentional violation.** It is a violation of this ~~section~~ subsection for any  
8 person, whether or not acting under color of law, to intentionally interfere or attempt to  
9 intentionally interfere with the exercise or enjoyment by any other person of rights secured  
10 by the United States Constitution or the laws of the United States or of rights secured by  
11 the Constitution of Maine or laws of the State by any of the following conduct:

12 A. Engaging in the physical obstruction of a building;

13 B. Making or causing repeated telephone calls to a person or a building, whether or  
14 not conversation ensues, with the intent to impede access to a person's or building's  
15 telephone lines or otherwise disrupt a person's or building's activities;

16 C. Activating a device or exposing a substance that releases noxious and offensive  
17 odors within a building; or

18 D. ~~After~~ During the posted hours of operating after having been ordered by a law  
19 enforcement officer to cease such noise, at any time after the order, intentionally  
20 making noise that can be heard within a building and with the further intent either:

21 (1) To jeopardize the health of persons receiving health services within the  
22 building; or

23 (2) To interfere with the safe and effective delivery of those services within the  
24 building.

25 Violation of this subsection is a Class E crime.

26 **Sec. 3. 5 MRSA §4684-B, sub-§3** is enacted to read:

27 **3. Knowing violation.** It is a violation of this subsection for any person to knowingly  
28 enter into, remain in or create an obstruction in a medical safety zone during the posted  
29 hours of operation of the provider of a health service, with the following exceptions:

30 A. A person entering or leaving the building;

31 B. A person using the public sidewalk or street right-of-way adjacent to the building  
32 solely for the purpose of reaching a destination other than the building;

33 C. A law enforcement officer, firefighter, emergency medical services provider,  
34 employee of a construction company or a utility or employee of a public works  
35 department or other municipal service acting in the course of employment; or

36 D. An employee or agent of the health service or the operator of the building acting in  
37 the course of employment.

38 Violation of this subsection is a Class E crime.

39 **Sec. 4. 5 MRSA §4684-B, sub-§4** is enacted to read:

