

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 620

H.P. 397

House of Representatives, February 14, 2023

**An Act to Promote Free Trade by Preventing Municipalities from
Prohibiting the Sale of Legal Goods**

Reference to the Committee on State and Local Government suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative PERKINS of Dover-Foxcroft.
Cosponsored by Representatives: ARDELL of Monticello, BABIN of Fort Fairfield,
NEWMAN of Belgrade, WHITE of Guilford.

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

2 **Sec. 1. 30-A MRSA c. 183, sub-c. 9** is enacted to read:

3 **SUBCHAPTER 9**

4 **RESTRICTIONS ON THE SALE OF GOODS AND SERVICES**

5 **§3991. Restrictions prohibited**

6 Notwithstanding any provision of law to the contrary, a municipality may not:

7 **1. Prohibit legal sale of goods or services.** Prohibit a business, entity or individual
8 licensed to operate within that municipality from selling any product or offering any service
9 that is otherwise permitted under state law; or

10 **2. Unduly restrict business.** Except when explicitly authorized by statute, restrict the
11 operation or licensure of a business or entity planning to operate within that municipality
12 based on the type of products or services that the business or entity plans to provide.

13 **SUMMARY**

14 This bill prevents a municipality from prohibiting a business, entity or individual from
15 selling any product or offering any service that is otherwise permitted under state law and
16 also prohibits a municipality from restricting the operation or licensure of a business or
17 entity within that municipality based on the type of products or services that the business
18 or entity plans to provide unless municipalities are provided with the authority to restrict
19 that type of business or entity under state law.