

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1001

H.P. 637

House of Representatives, March 7, 2023

An Act to Amend the Maine Human Rights Act Regarding Right-to-sue Letters

Reference to the Committee on Judiciary suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative MORIARTY of Cumberland.
Cosponsored by Representative: MORRIS of Turner.

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

2 **Sec. 1. 5 MRSA §4612, sub-§6**, as amended by PL 1995, c. 462, Pt. A, §7, is further
3 amended to read:

4 **6. Right to sue.** If, within 180 days of a complaint being filed with the commission,
5 the commission has not filed a civil action in the case or has not entered into a conciliation
6 agreement in the case, the complainant may request a right-to-sue letter, and, if a letter is
7 given, the commission shall end its investigation.

8 On or after the 181st day of the date a complaint has been filed with the commission, the
9 commission may issue a right-to-sue letter without a request from the complainant.

10 **Sec. 2. 5 MRSA §4622, sub-§1**, as amended PL 2021, c. 366, §21, is further
11 amended by enacting at the end a new last blocked paragraph to read:

12 If the commission issued a right-to-sue letter, the plaintiff may not be awarded attorney's
13 fees, civil penal damages or compensatory and punitive damages unless the plaintiff
14 establishes that the plaintiff received the right-to-sue letter before filing the civil action.

15 **SUMMARY**

16 This bill allows the Maine Human Rights Commission to issue a right-to-sue letter to
17 a complainant without a request from the complainant on the 181st day after the complaint
18 was filed with the commission and makes a conforming change.