

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2121

H.P. 1436

House of Representatives, January 7, 2026

**An Act to Enhance the Safety of Judicial and Elected Officials,
Constitutional Officers and the State Auditor by Allowing Certain
Personal Information to Be Removed from Designated Public
Records**

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, reading "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FAIRCLOTH of Bangor.

Cosponsored by Senator BAILEY of York and

Representatives: ABDI of Lewiston, DHALAC of South Portland, Speaker FECTEAU of Biddeford, MOONEN of Portland, Senator: President DAUGHTRY of Cumberland.

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

2 **Sec. 1. 5 MRSA §90-J** is enacted to read:

3 **§90-J. Information privacy**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Authorized person" means a covered person or any of the following persons
7 authorized to submit or revoke a request for the redaction or nondisclosure of a home
8 address on behalf of a covered person:

9 (1) On behalf of any federal judge, a designee of the United States Department of
10 Justice, United States Marshals Service or of the clerk of any United States District
11 Court, as long as the designee submits the affirmation required under this section
12 signed by the federal judge for whom a request or revocation is made;

13 (2) On behalf of any covered person who is deceased or medically or
14 psychologically incapacitated, a person acting on behalf of the covered person as
15 a designated trustee, as an estate executor or personal representative or pursuant to
16 a written power of attorney or other legal instrument, as long as the person signs
17 and submits the affirmation required under this section on behalf of the covered
18 person; and

19 (3) On behalf of any immediate family member who is a minor and who is
20 otherwise entitled to address redaction or nondisclosure pursuant to this section,
21 the parent or legal guardian of that minor.

22 B. "Covered person" means an active, formerly active or retired judicial officer,
23 member of Congress, state Legislator, Attorney General, Secretary of State, Treasurer
24 of State or State Auditor and an immediate family member.

25 C. "Director" means the director of the Office of Information Privacy.

26 D. "Immediate family member" means a spouse, child or parent of, or any other family
27 member related by blood or by law to, an active, formerly active or retired judicial
28 officer, member of Congress, state Legislator, Attorney General, Secretary of State,
29 Treasurer of State or State Auditor and who resides in the same household as that
30 person.

31 E. "Office" means the Office of Information Privacy established in subsection 2.

32 **2. Office of Information Privacy; director.** The Office of Information Privacy is
33 established in the Department of the Secretary of State. The office is led by a director, who
34 must be appointed by and serves at the pleasure of the Secretary of State and who may hire
35 staff as necessary.

36 A. The director shall establish:

37 (1) A secure electronic portal through which an authorized person may submit or
38 revoke a request for the redaction or nondisclosure of a covered person's home
39 address from certain records and publicly available online resources, as provided
40 in this section. Such a request is not subject to disclosure under any statute or rule
41 governing disclosure of public information;

1 (2) A process by which an authorized person may petition the director for
2 reconsideration of a denial of a request for the redaction or nondisclosure of a
3 covered person's home address or revocation of such a request under subparagraph
4 (1);

5 (3) A process by which a person or entity may request a record that does not
6 contain a redaction or a nondisclosure; and

7 (4) A process for the evaluation of any exceptions other than those under this
8 paragraph to the requirement for redaction or nondisclosure pursuant to this
9 section, whether categorical or individualized. The director may grant an exception
10 to any person or entity for the receipt of the unredacted records or information
11 pursuant to this process.

12 B. The director shall evaluate and either approve or deny a request submitted pursuant
13 to paragraph A or a revocation of a request submitted pursuant to paragraph A.

14 C. The director may enter into any agreement or contract necessary to effectuate the
15 purposes of this section.

16 D. The director may issue any guidance, guidelines or decisions or adopt rules
17 necessary to effectuate the purposes of this section in accordance with the provisions
18 of the Maine Administrative Procedure Act. Rules adopted pursuant to this paragraph
19 are routine technical rules as described in chapter 375, subchapter 2-A.

20 **3. Information redaction, nondisclosure request; enforcement.** An authorized
21 person seeking the redaction or nondisclosure of the home address of any covered person
22 from certain records and publicly available online resources shall submit a request in
23 accordance with this section to the office through the secure electronic portal established
24 under subsection 2, paragraph A. The address is subject to redaction or nondisclosure only
25 if a request is submitted to and approved by the director.

26 A. A state, county or municipal government, or a department or agency of a state,
27 county or municipal government, shall redact or cease to disclose, respectively, the
28 home address of a covered person approved by the office not later than 30 days
29 following the approval. A state, county or municipal government, or a department or
30 agency of a state, county or municipal government, also shall discontinue the redaction
31 or nondisclosure of the home address of any covered person for whom a revocation
32 request has been approved not later than 30 days following the revocation approval.

33 B. A custodian of records of a government, department or agency listed in paragraph
34 A who makes a reasonable effort to comply with this subsection must be presumed to
35 have acted without willful, purposeful or reckless disregard of the law.

36 C. An immediate family member who sought and received approval for redaction or
37 nondisclosure and who no longer resides with the covered person shall submit through
38 the portal a revocation request not later than 30 days from the date on which the
39 immediate family member no longer resided with the covered person.

40 D. An authorized person submitting a request for redaction or nondisclosure pursuant
41 to this subsection shall affirm in writing that the covered person understands that
42 certain rights, duties and obligations are affected because of the request, including:

1 (1) The signing of petitions related to the nomination or election of a candidate to
2 public office or related to any public question;

3 (2) The eligibility or requirements related to seeking or accepting the nomination
4 for election or election to public office, or the appointment to any public position;

5 (3) The sale or purchase of a home or other property, recordation of a judgment,
6 lien or other encumbrance on real or other property and any relief granted based
7 on the sale or purchase of a home or other property or recordation of a judgment,
8 lien or other encumbrance on real or other property;

9 (4) The ability to be notified of any class action suit or settlement; and

10 (5) Any other legal, promotional or official notice that would otherwise be
11 provided to the person but for the redaction or nondisclosure of the person's home
12 address pursuant to this subsection.

13 **4. Exceptions.** The following exceptions apply to the requirement to redact, and the
14 prohibition against the disclosure of, a home address pursuant to subsection 3.

15 A. Copies of voter registration files maintained in the central voter registration system
16 as defined in Title 21-A, section 1, subsection 6-A must be provided as redacted
17 pursuant to this section, but copies of the files as unredacted must be provided to the
18 following individuals, upon the individual's signing of an affidavit attesting to the
19 individual's qualifying status:

20 (1) The chair of the state, county or municipal committee of a political party, or a
21 designee of the chair, for distribution to any person authorized to serve as a
22 challenger in an election;

23 (2) A candidate acting as a challenger in an election;

24 (3) A vendor, contractor or organization carrying out a function of a municipality
25 or county or of the State concerning the administration or conduct of elections; and

26 (4) A person who has the right to obtain a copy of voter registration files pursuant
27 to an order of a Justice of the Superior Court after a finding that the unredacted
28 copy is necessary to determine the merits of a pending case.

29 B. Except as provided in paragraph C, subparagraph (3), a document affecting the title
30 to real property, recorded and indexed by a register of deeds or as otherwise held or
31 maintained by the Department of Administrative and Financial Services, Bureau of
32 Revenue Services, a county board of commissioners, a county official responsible for
33 tax administration or a county or municipal tax assessor, that contains a home address
34 subject to redaction or nondisclosure consistent with this section may instead or in
35 addition include the redaction and nondisclosure of the names or other information of
36 covered persons, as specified by the State Tax Assessor. The redaction and
37 nondisclosure may include masking of the covered person's names or other
38 information, and the document must be provided as unredacted to the following
39 persons when requested in the person's ordinary course of business:

40 (1) A title insurance company, a title insurance agent or an attorney;

41 (2) A mortgage guarantee insurance company;

42 (3) A mortgage loan originator;

1 (4) An entity that performs title searches;

2 (5) A real estate broker or a real estate salesperson; and

3 (6) An individual or business that has made or received an offer for the purchase
4 of real estate or real property, or any portion of real estate or real property, to or
5 from a covered person.

6 C. The following are not subject to redaction or nondisclosure pursuant to subsection
7 3:

8 (1) Records and documents, including Uniform Commercial Code filings and
9 financing statements, maintained by the Department of the Secretary of State,
10 bureau of corporations, elections and commissions, division of corporations,
11 uniform commercial code and commissions;

12 (2) Petitions naming candidates for office;

13 (3) Records evidencing any lien, judgment or other encumbrance upon real or
14 other property; and

15 (4) Records pertaining to property that is presumed abandoned under the Maine
16 Revised Unclaimed Property Act.

17 D. A public agency may share unredacted information with a vendor, contractor or
18 organization to carry out the purposes for which the public agency entered into an
19 agreement with the vendor, contractor or organization. The vendor, contractor or
20 organization may not use such information in any manner other than as necessary to
21 carry out the purposes of the agreement.

22 E. For the purposes of the calculation of property tax benefits and the administration
23 of property tax credits for covered persons, a municipality may share unredacted
24 property tax information with the State Tax Assessor, and the State Tax Assessor may
25 provide to a municipality the property tax credits to be applied against property tax
26 bills of covered persons who are eligible claimants.

27 **5. Information shared with governmental entity.** This section may not be construed
28 to require redaction or nondisclosure of any information in any document, record or
29 database shared with or otherwise provided to any other governmental entity.

30 **6. Register of deeds returning document.** This section may not be construed to
31 prohibit a register of deeds from returning a document as unredacted to any person who
32 submitted the document for recordation.

33 **7. Information provided upon court order.** Information otherwise subject to
34 redaction or nondisclosure pursuant to this section may be provided as unredacted upon
35 order of a Justice of the Superior Court or of any other court of competent jurisdiction.

36 **8. Availability of records.** This section may not be construed to require a record to
37 be made available that is not otherwise required to be made available under any other law
38 or rule.

39 **9. State Tax Assessor may issue guidance or adopt rules.** The State Tax Assessor
40 may issue any guidance or guidelines or adopt rules necessary to effectuate the purposes of
41 this section. Rules adopted pursuant to this subsection are routine technical rules as
42 described in chapter 375, subchapter 2-A.

1 **SUMMARY**

2 This bill allows specified public officials, and their immediate family members, to
3 request that certain personal information, including residential addresses, be removed from
4 public records and publicly available online resources maintained by state, county and
5 municipal government agencies. The bill establishes the Office of Information Privacy in
6 the Department of the Secretary of State to administer the provisions of the bill.