

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2150

S.P. 871

In Senate, January 7, 2026

**An Act to Establish Procedures for Restricting Access to State
Property, Access to State Services and Communication with or
Through State Entities**

(EMERGENCY)

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, appearing to read "DAREK M. GRANT".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator GROHOSKI of Hancock.

Cosponsored by Representative MILLIKEN of Blue Hill and
Senators: BENNETT of Oxford, CARNEY of Cumberland, HICKMAN of Kennebec,
TALBOT ROSS of Cumberland, Representatives: HASENFUS of Readfield, HENDERSON
of Rumford, LEE of Auburn, SINCLAIR of Bath.

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the number of protests held on state properties and the need for services provided by state agencies are anticipated to increase in 2026 and coming years; and

Whereas, the Department of Public Safety, Bureau of Capitol Police has expressed concern about the lack of specific statutory guidance regarding persons who have been restricted from accessing state properties or services provided by state entities; and

Whereas, providing specific and timely statutory guidance on the process of restricting a person from accessing state properties or services provided by state entities or communicating with or through state entities is necessary to address immediate public safety concerns and individual rights; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §60 is enacted to read:

§60. Restriction of access to state property or services; restriction of communication with or through entities of the State

1. Entity of the State; definition. As used in this section, "entity of the State" means any office, department, agency, authority, commission, board, institution, hospital or other instrumentality of the State.

2. Notice or communication of restriction. An entity of the State that issues a notice or communication that restricts a person from accessing state property or services provided by the State or that restricts a person from communicating with or through the entity shall include in the notice or communication the factual basis for the entity's decision to restrict that person's access or communication, which must be provided to the person. Except as provided in subsection 3, an entity of the State may restrict a person's access to state property or services provided by the State or restrict a person from communicating with or through the entity through a notice or communication for a total period not to exceed 90 days.

3. Restrictions more than 90 days; protection from harassment. An entity of the State that seeks to extend or renew a restriction issued by notice or communication under subsection 2 for a period exceeding 90 days shall, through the Department of Public Safety, Bureau of State Police, file a complaint for protection from harassment pursuant to chapter 337-A and provide evidence to the court of the original notice or communication restricting the person from accessing state property or services provided by the State or restricting the person from communicating with or through the entity, along with the factual basis for the entity's original decision.

The court shall prioritize complaints filed for protection from harassment other than those filed pursuant to this subsection.

Sec. 2. 5 MRSA §4651, sub-§2, ¶A, as amended by PL 2025, c. 400, §1, is further amended to read:

A. Three or more acts of intimidation, confrontation, physical force or the threat of physical force directed against any person, family or, business or, with respect to an action brought under section 60, subsection 3, an entity of the State that are made with the intention of causing fear, intimidation or damage to personal property and that do in fact cause fear, intimidation or damage to personal property;

Sec. 3. 5 MRSA §4652, first ¶, as amended by PL 1991, c. 760, §2, is further amended to read:

Proceedings under this chapter must be filed, heard and determined in the District Court of the division in which either the plaintiff or the defendant resides. If the plaintiff has left the plaintiff's residence to avoid harassment, the plaintiff may bring an action in the division of the plaintiff's previous residence or new residence. In an action brought under section 60, subsection 3 by an entity of the State and filed by the Department of Public Safety, Bureau of State Police, the proceedings may be filed, heard and determined in any division of the plaintiff's choice.

Sec. 4. 5 MRSA §4653, sub-§1, as amended by PL 2021, c. 634, Pt. B, §1, is further amended to read:

1. Filing. A person who, family, business or, with respect to an action brought under section 60, subsection 3, an entity of the State that has been a victim of harassment, including a business, may seek relief by filing in an appropriate court:

A. A sworn complaint alleging harassment; and

B. If the alleged harassment does not meet the definition in section 4651, subsection 2, paragraph C or is not related to an allegation of domestic violence, violence against a dating partner, sexual assault, stalking or harassment as described in Title 17-A, section 506, subsection 1, paragraph A-1 or A-2, a copy of a notice to stop harassing the plaintiff issued to the defendant pursuant to Title 17-A, section 506-A, subsection 1, paragraph A, subparagraph (1), division (a) or subparagraph (3) or a statement of good cause why such a notice was not sought or obtained. The court has discretion, based on the nature of the allegations as well as any further inquiry that the court may make of the plaintiff, to issue an order even if notice to stop harassing the plaintiff has not been issued to the defendant as described in Title 17-A, section 506-A, subsection 1, paragraph A, subparagraph (1), division (a) or subparagraph (3).

Sec. 5. 5 MRSA §4653, sub-§4 is enacted to read:

4. Entity of the State. An action brought under section 60, subsection 3 by an entity of the State must be filed by the Department of Public Safety, Bureau of State Police on behalf of the entity pursuant to this chapter.

Sec. 6. 5 MRSA §4654, sub-§4, ¶F, as amended by PL 2015, c. 410, Pt. C, §2 and c. 443, §2, is further amended by amending subparagraph (2) to read:

(2) Being at or in the vicinity of the plaintiff's home, school, business or place of employment or, in the case of an action brought under section 60, subsection 3 by an entity of the State, state property;

Sec. 7. 5 MRSA §4655, sub-§1, ¶C-1, as enacted by PL 1993, c. 475, §2, is amended by amending subparagraph (2) to read:

(2) Being at or in the vicinity of the plaintiff's home, school, business or place of employment or, in the case of an action brought under section 60, subsection 3 by an entity of the State, state property;

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill prohibits an entity of the State from restricting a person's access to state property or services provided by the State or restricting a person from communicating with or through the entity for a period of more than 90 days unless certain conditions are met. It requires an entity of the State to include on a notice or communication restricting a person's access or communication the factual basis for the entity's decision. The bill requires an entity of the State seeking to extend or renew a restriction issued by notice or communication for more than 90 days to file, through the Department of Public Safety, Bureau of State Police, a complaint for protection from harassment and provide evidence to the court of the original notice or communication restricting the person from accessing state property or services provided by the State or restricting the person from communicating with or through the entity, along with the factual basis for the entity's original decision. The bill requires the court to prioritize complaints filed for protection from harassment that are unrelated to the extension or renewal of a restriction for more than 90 days. The bill clarifies that an action brought by an entity of the State and filed by the Department of Public Safety, Bureau of State Police may be filed, heard and determined in any division of the District Court of the plaintiff's choice and that the court may direct a defendant to refrain from being in the vicinity of state property.