

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2019

for that consumer to play offline. "Internet game service" does not include online gambling or other gaming in which a person participates to win money.

D. "Mobile app" means a software application designed to be operated on a mobile device such as a smartphone.

E. "Online media player" means an online service that delivers audio or video content.

F. "Online software" means software provided by an online application.

G. "Seller" means a person who sells, leases or offers to sell or lease automatic subscription renewals or extended automatic subscription renewals and does not include an entity providing only the host platform on the website of an Internet game service.

H. "Social networking service" means an online service that facilitates the building of social relations and the sharing of information among specified groups of people.

2. Method of cancellation of automatic subscription renewal. A seller may not make an automatic subscription renewal offer to a consumer in this State unless the seller presents that consumer with an easily accessible disclosure of the methods that the consumer may use to cancel the subscription. The seller must provide for online cancellation of the subscription by any means of communicating information over a computer network. If a phone number is also provided for the purposes of cancellation of the subscription, the number must be toll-free and must be prominently displayed in the disclosure.

3. Extended automatic subscriptions. A seller may not make an extended automatic subscription renewal offer to a consumer in this State unless the seller notifies the consumer of the automatic renewal. Notice must be provided to the consumer no less than 30 days and no more than 60 days before the cancellation deadline pursuant to the automatic subscription renewal. The seller must provide for online cancellation of the subscription by any means of communicating information over a computer network. The notice must disclose clearly and conspicuously:

A. That unless the consumer cancels the subscription it will automatically renew; and

B. Where the consumer can obtain details regarding the automatic subscription renewal and cancellation procedure.

4. Application. This chapter applies only to an agreement entered into or renewed after January 1, 2020 under which a seller makes an automatic subscription renewal or extended automatic subscription renewal offer to a consumer in this State.

§1210-D. Violation

1. Violations. A violation of this section is a violation of the Maine Unfair Trade Practices Act.

2. Exceptions. An action may not be brought under the Maine Unfair Trade Practices Act if a seller violates this chapter as the result of an error and provides a full refund or credit for all amounts billed to or paid by the consumer from the date of the subscription renewal until the date of the termination of the subscription or the date of the subsequent notice of renewal, whichever occurs first.

See title page for effective date.

CHAPTER 176

H.P. 733 - L.D. 978

An Act To Clarify Maine's Protection from Abuse Statutes

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

Sec. 1. 19-A MRSA §4002, sub-§7 is enacted to read:

7. Social media. "Social media" means an electronic medium or service through which users create, share and view user-generated content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, e-mail, online service accounts and Internet website profiles and locations.

Sec. 2. 19-A MRSA §4007, sub-§1, ¶D, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

D. Directing the defendant to refrain from having any direct or indirect contact with the plaintiff, including via social media;

See title page for effective date.

CHAPTER 177

S.P. 491 - L.D. 1556

An Act Regarding Filing Fees in Transmission Line Proceedings

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

Sec. 1. 35-A MRSA §3132, sub-§10-A, as enacted by PL 2009, c. 26, §1, is amended to read:

10-A. Filing fee to Office of the Public Advocate. When a person pays a filing fee to the commis-