

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
131<sup>ST</sup> LEGISLATURE  
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON JUDICIARY**

June 2024

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# STATE OF MAINE

131<sup>ST</sup> LEGISLATURE  
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## LEGISLATIVE DIGEST OF BILLS AND SUMMARIES OF ENACTED LAWS

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the Second Regular Session of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature's webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. The following describes the various final actions.

*CARRIED OVER*..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*.....defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*.....enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*.....emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*.....sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*.....ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*.....ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*.....chapter # of enacted public law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 131st Legislature is Friday, August 9, 2024. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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the commission's mission and functions to the public. It also establishes the positions necessary to create a new public defender office to serve Aroostook County and a new public defender office to serve Penobscot and Piscataquis counties; a new Public Service Coordinator I position to perform investigative services for the existing public defender office in Kennebec County; and new positions in the Maine Commission on Indigent Legal Services' central office designed to assist with the formation and implementation of new public defender offices and training of new public defenders. It authorizes the transfer of funds from the All Other line category to the Personal Services line category of the Maine Commission on Indigent Legal Services program to pay the costs associated with these new positions.

Public Law 2023, chapter 558 was enacted as an emergency measure effective March 21, 2024.

### **LD 747 An Act Regarding the Reporting of Adult Name Changes by the Probate Courts to the State Bureau of Identification**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 560 establishes a uniform process for the reporting of all name changes ordered by a probate court to the Department of Public Safety, Bureau of State Police, State Bureau of Identification.

Part A of Public Law 2023, chapter 560 amends the Maine Uniform Probate Code in the following ways.

1. It requires that an adult seeking a name change in a probate court undergo a criminal history record check and establishes a rebuttable presumption that the court may not order the name change if the adult is currently under official supervision as a probationer, a parolee or a sex offender on supervised release or if the adult is currently required to register as a sex offender.
2. It authorizes a probate court to order that the record of the name change of an adult be kept confidential if the court finds that the adult's interest in maintaining the confidentiality of the record outweighs the public interest in the disclosure of the record. It also establishes a rebuttable presumption that the public's interest in disclosure outweighs the adult's interest in maintaining confidentiality if the adult has been convicted of a Class D or E crime within the five years immediately preceding the filing of the name change request or of a more serious crime within the 10 years immediately preceding the filing of the name change request. The probate court may not order that the record of the name change is confidential if the adult is currently under official supervision as a probationer, a parolee or a sex offender on supervised release or if the adult is currently required to register as a sex offender.
3. Beginning January 1, 2025, it requires a probate court to electronically transmit an abstract of any name change order for an adult, including an order that has been made confidential, to the State Bureau of Identification unless the court orders, upon a showing of extraordinary

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circumstances, that an abstract of a name change order of an adult made confidential by the court not be transmitted to the State Bureau of Identification.

Part B of Public Law 2023, chapter 560 directs that, in response to a request for an adult's public criminal history record information, a Maine criminal justice agency may disseminate information associated with each of the adult's former and current legal names unless a name change was made confidential, in which case the agency may not disclose to any person that is not authorized to receive confidential criminal history record information the existence of the name change order or any criminal history record information associated with a legal name of the adult that is not included within the request.

Public Law 2023, chapter 560 was enacted as an emergency measure effective March 25, 2024.

### **LD 870 An Act to Strengthen Freedom of Speech Protections by Enacting the Uniform Public Expression Protection Act**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 626 repeals the State's law against strategic lawsuits against public participation, commonly known as the anti-SLAPP law, and replaces it with the Uniform Law Commission's 2020 Uniform Public Expression Protection Act. The Legislature accepts the explanatory notes and Uniform Comments as prepared by the commission as part of the uniform law.

Public Law 2023, chapter 626 takes effect January 1, 2025.

### **LD 1490 An Act to Reduce Rental Housing Costs by Limiting Additional Fees at or Prior to the Commencement of Tenancy**

#### **ENACTED LAW SUMMARY**

Public Law 2023, chapter 594 amends the laws regarding rental property by adding definitions for "mandatory recurring fee", "rent", "utility service costs" and "optional recurring fee." It also requires landlords to provide notice to tenants 45 days in advance when increasing a mandatory recurring fee; establishes a limit on the amount of money required to initiate a tenancy; adds certain fees, penalties and other charges to the statutory list of unenforceable provisions currently in law; and requires landlords to provide a total price disclosure statement to potential tenants or lessees prior to entering a lease or tenancy at will agreement.

Public Law 2023, chapter 594 takes effect January 1, 2025.