

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
S.P. 881 - L.D. 2176

**An Act to Safeguard Personal Information and Strengthen Tenant Rights in
Maine**

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

Sec. 1. 5 MRSA §4651, sub-§2, ¶C, as amended by PL 2025, c. 400, §1 and c. 417, §1, is further amended to read:

C. A single act or course of conduct constituting a violation of section 4681; Title 14, section 6025-B or 9102; Title 17, section 2931; or Title 17-A, section 201, 202, 203, 204, 207, 208, 209, 210, 210-A, 211, 253, 254, 255-A, 256, 258, 259-A, 259-B, 260, 261, 282, 283, 301, 302, 303, 506, 506-A, 511, 511-A, 556, 802, 805, 806, 852 or 853; or

Sec. 2. 14 MRSA §6025, sub-§3, as amended by PL 1999, c. 204, §1, is further amended to read:

3. Remedy. If a landlord makes an entry in violation of this section, makes a lawful entry in an unreasonable manner or makes repeated demands for entry otherwise lawful that have the effect of harassing the tenant, the tenant may recover actual damages or \$100 \$250, whichever is greater, and obtain injunctive relief to prevent recurrence of the conduct, and if the tenant obtains a judgment after a contested hearing, reasonable attorney's fees.

If a tenant changes the lock and does not provide the landlord with a duplicate key, in the case of emergency the landlord may gain admission through whatever reasonable means necessary and charge the tenant reasonable costs for any resulting damage. If a tenant changes the lock and refuses to provide the landlord with a duplicate key, the landlord may terminate the tenancy with a 7-day notice.

Sec. 3. 14 MRSA §6025-B is enacted to read:

§6025-B. Disclosure of information

1. Definitions. For purposes of this section, "personal information" means the following information about a tenant, prospective tenant, occupant or prospective occupant of a rental property:

A. Identifying information, including name, address, telephone number or e-mail address;

B. Information about racial or ethnic origins, religious beliefs, health conditions, sexual activity, sexual orientation, gender identity, national origin, citizenship, immigration status or alien registration number;

C. A social security number, driver's license number or nondriver identification card number;

D. Billing, financial or payment method information; or

E. Information concerning an individual's status as a victim of a crime. For the purposes of this paragraph, "victim" has the same meaning as in Title 17-A, section 2101, subsection 2.

2. Prohibition. Except as provided in subsection 3, a landlord, a landlord's agent and any other person acting under the direction of the landlord may not, with the intent to harass, intimidate or otherwise cause a person to vacate a rental property outside of the judicial process as established in chapter 709, and without a legitimate business purpose, disclose to any person the personal information of a known tenant, prospective tenant, occupant or prospective occupant of a rental property owned or managed by the landlord without the express consent of the known or prospective tenant or occupant.

3. Exceptions. Notwithstanding subsection 2, a landlord, a landlord's agent and any other person acting under the direction of the landlord may disclose the personal information of a tenant, prospective tenant, occupant or prospective occupant of the rental property owned or managed by the landlord if the disclosure is:

A. In response to a valid discovery request, subpoena or judicial warrant with respect to any state administrative proceeding, state or federal judicial proceeding or state or federal criminal investigation;

B. Made to a state, local or county law enforcement agency in the State due to exigent circumstances or as reasonably necessary to prevent or prosecute a criminal act;

C. Reasonably necessary for the sale or refinancing of the property subject to the tenancy;

D. Reasonably necessary for the application for or receipt of funds and services related to federally supported or state-supported affordable housing programs; or

E. Reasonably necessary to respond to a request from a municipal code enforcement officer, fire inspector or similar municipal officer.

4. Remedy. If a landlord, a landlord's agent or any other person acting under the direction of the landlord discloses personal information in violation of this section, the tenant, prospective tenant, occupant or prospective occupant whose personal information was disclosed may recover actual damages or \$1,000, whichever is greater, and obtain injunctive relief to prevent the recurrence of the conduct. If the tenant, prospective tenant, occupant or prospective occupant obtains a judgment after a contested hearing, the tenant, prospective tenant, occupant or prospective occupant whose personal information was disclosed may recover reasonable attorney's fees.