



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

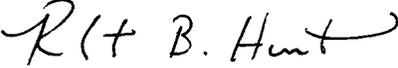
No. 1978

H.P. 1321

House of Representatives, May 13, 2025

An Act Regarding Government Liability Related to Sexual Acts Toward Minors

Reference to the Committee on Judiciary suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.

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

2 **Sec. 1. 14 MRSA §8104-A, sub-§5** is enacted to read:

3 **5. Sexual acts toward minors; waiver of statute of limitations.** A governmental
4 entity is liable for intentional and negligent acts or omissions relating to an employee or an
5 agent of the governmental entity who commits a sexual act towards a minor or engages in
6 a sexual act with a minor while acting in or under the scope; description; authority whether
7 actual, implied or apparent; mandate; directive; permission; or other indicia of the
8 employer-employee relationship, whether on or off the governmental entity's premises.

9 As used in this subsection, "sexual act towards a minor" has the same meaning as "sexual
10 acts toward minors" in section 752-C, subsection 2.

11 This subsection applies to all actions against a governmental entity or an employee or agent
12 of a governmental entity based upon a sexual act towards a minor regardless of the date of
13 the sexual act and regardless of whether the statute of limitations on such actions expired
14 prior to the effective date of this subsection.

15 **SUMMARY**

16 This bill adds an exception to immunity for governmental entities to provide that the
17 State and a political subdivision of the State, including a city, town, county or school
18 district, is liable for intentional and negligent acts or omissions relating to an employee or
19 an agent of the governmental entity who commits a sexual act against a minor or engages
20 in a sexual act with a minor while acting in or under the scope; description; authority
21 whether actual, implied or apparent; mandate; directive; permission; or other indicia of the
22 employer-employee relationship, whether on or off government premises.

23 This bill also removes the statute of limitations to allow actions against a governmental
24 entity or an employee or agent of a governmental entity based upon sexual acts toward
25 minors regardless of the date of the sexual act and regardless of whether the statute of
26 limitations on such actions expired prior to the effective date of this legislation.