



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1348

S.P. 565

In Senate, April 1, 2025

**An Act to Increase the Limit on Damages Under the Maine Tort
Claims Act for Negligence Involving School Field Trips**

Received by the Secretary of the Senate on March 28, 2025. Referred to the Committee on
Judiciary pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LAWRENCE of York.
Cosponsored by Representatives: GRAMLICH of Old Orchard Beach, LEE of Auburn.

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

2 **Sec. 1. 14 MRSA §8102, sub-§1-D** is enacted to read:

3 **1-D. Field trip.** "Field trip" means an excursion of students conducted by an
4 elementary or secondary school to a location away from the school for educational or
5 recreational purposes. "Field trip" does not include a sporting, extracurricular, club or other
6 event or activity in which there is an inherent risk of physical injury.

7 **Sec. 2. 14 MRSA §8105, sub-§1,** as amended by PL 1999, c. 460, §1 and affected
8 by §2, is further amended to read:

9 **1. Limit established.** ~~In~~ Except as provided in subsection 6, in any claim or cause of
10 action permitted by this chapter, the award of damages, including costs, against either a
11 governmental entity or its employees, or both, may not exceed \$400,000 for any ~~and all~~
12 claims arising out of a single occurrence.

13 **Sec. 3. 14 MRSA §8105, sub-§6** is enacted to read:

14 **6. Field trips.** In a claim or cause of action permitted by this chapter, the award of
15 damages, including costs, against a governmental entity for a negligent act or omission in
16 the planning, transportation, administration, supervision or execution of a field trip may
17 not exceed \$5,000,000 for any claims arising out of a single occurrence.

18 **SUMMARY**

19 This bill increases the limit for damages under the Maine Tort Claims Act from
20 \$400,000 to \$5,000,000 for a negligent act or omission by a governmental entity in the
21 planning, transportation, administration, supervision or execution of a school field trip.