

STATE OF MAINE

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

—  
S.P. 871 - L.D. 2150

**An Act to Enhance Notice to Individuals Whose Access to State Property Has  
Been Restricted**

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

**Sec. 1. 5 MRSA §60** is enacted to read:

**§60. Restriction of access to state property or services; restriction of communication  
with or through entities of the State**

**1. Entity of the State; definition.** As used in this section, "entity of the State" means any office, department, agency, authority, commission, board, institution, hospital or other instrumentality of the State, except that "entity of the State" does not include a public institution of higher education.

**2. Notice or communication of restriction.** An entity of the State that issues a notice or communication, or a local law enforcement agency that issues a notice or communication on behalf of an entity of the State, that restricts a person from accessing state property or services provided by the State or from communicating with or through the entity to which an otherwise unrestricted person would have access must issue the notice or communication in writing to the restricted person. The written notice or communication must include the factual basis for the entity of the State's decision to restrict the person's access or communication as well as information describing the procedure to challenge the notice or communication. The issuance of a court order does not satisfy the requirements of this subsection.

**3. Final agency action.** A notice or communication issued pursuant to this section constitutes final agency action for the purposes of review under chapter 375.

**4. Copy to Department of Public Safety.** An entity of the State other than the Department of Public Safety that issues a written notice or communication pursuant to this section shall send a copy of that notice or communication to the Department of Public Safety.

**5. Applicability.** This section does not apply to the Department of Corrections with respect to placing restrictions on a resident of a department facility as defined under Title 34-A, section 3015, subsection 1.

**Sec. 2. Department of Public Safety; data collection, report.** No later than January 15, 2028, the Department of Public Safety shall, within existing resources, submit a report regarding the implementation of the Maine Revised Statutes, Title 5, section 60 to the joint standing committee of the Legislature having jurisdiction over judiciary matters. The report must include at least the following data:

1. The number of notices or communications issued by or on behalf of an entity of the State;
2. The number of notices or communications issued by or on behalf of an entity of the State that were subsequently violated by the person being restricted;
3. A list of the entities of the State that issued notices or communications and the number of notices or communications issued on behalf of each entity;
4. The geographic scope of the impact that the notice or communication issued to the restricted person has on the entity of the State, including whether the notice or communication was issued for a regional office or offices across the State;
5. The final duration of each notice or communication; and
6. The number of notices or communications that were challenged pursuant to Title 5, chapter 375.

The joint standing committee of the Legislature having jurisdiction over judiciary matters may report out legislation based on the findings and recommendations of the report to the Second Regular Session of the 133rd Legislature.