

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Establish the Maine Fourth Amendment Protection Act**

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

**Sec. 1. 15 MRSA c. 100-A** is enacted to read:

### **CHAPTER 100-A**

### **MAINE FOURTH AMENDMENT PROTECTION ACT**

#### **§ 671. Short title**

This chapter may be known and cited as "the Maine Fourth Amendment Protection Act."

#### **§ 672. Prohibition on assistance to federal agencies engaged in collection of electronic data or metadata**

The State and its political subdivisions may not assist, participate with or provide material support or resources to enable or facilitate a federal agency in the collection or use of a person's electronic data or metadata without:

- 1. Informed consent.** That person's informed consent;
- 2. Warrant.** A warrant based upon probable cause that particularly describes the person, place or thing to be searched or seized; or
- 3. Legally recognized exception.** Acting in accordance with a legally recognized exception to the warrant requirements.

### **SUMMARY**

This bill prohibits the State and its political subdivisions from assisting, participating with or providing material support or resources to enable or facilitate a federal agency in the collection or use of a person's electronic data or metadata without the person's informed consent, without a warrant based upon probable cause that particularly describes the person, place or thing to be searched or seized or without acting in accordance with a legally recognized exception to the warrant requirements.