

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

Amend the bill in section 1 by striking out all of §672 and inserting the following:

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

**1. Prohibition.** The State and its political subdivisions may assist, participate with, benefit from 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 only if:

A. The collection is pursuant to that person's informed consent;

B. The collection is pursuant to a warrant based upon probable cause that particularly describes the person, place or thing to be searched or seized;

C. The State, the political subdivision of the State or the federal agency is acting in accordance with a legally recognized exception to the warrant requirements; or

D. The electronic data or metadata is otherwise in the legal possession of the State or its political subdivision.

**2. Application.** This section applies to electronic data and metadata associated with a person's landline, cellular or satellite telephone; handheld electronic device; global positioning system device; personal computer; e-mail account; private messaging service; or cloud database service.’

## SUMMARY

This amendment clarifies the language in the bill concerning the permitted activities of the State and its political subdivisions in participating with a federal agency in the collection and use of a person's electronic data and metadata. It also specifies that the prohibition applies to electronic data and metadata associated with a person's landline, cellular or satellite telephone, handheld electronic device, global positioning system device, personal computer, e-mail account, private messaging service or cloud database service.