



132nd MAINE LEGISLATURE

LD 1222

LR 1618(02)

An Act to Limit Sovereign Immunity for Schools and School Superintendents

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Potential State Mandate - Unfunded

Correctional and Judicial Impact Statements

This bill may increase the number of civil suits filed in the court system. The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional filing fees will increase General Fund revenue by minor amounts.

State Mandates

| Required Activity | Unit Affected | Local Cost |
|--|---------------|-----------------------|
| Removes immunity under the Maine Tort Claims Act for school superintendents, school administrative units (SAUs) or schools within the SAU's jurisdiction for certain conduct thus expanding the areas in which SAUs may potentially need legal services. Requires SAUs to maintain liability insurance coverage sufficient to cover potential claims that may occur as a result of the removed immunity. | School | Significant statewide |

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

Additional costs to the Department of Education to submit the required report beginning in fiscal year 2027-28 can be absorbed within existing budgeted resources.