

**§4002. Definitions****(CONFLICT)****(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)****(WHOLE SECTION TEXT EFFECTIVE UNTIL 1/01/23)**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

**1. Abuse.** "Abuse" means the occurrence of the following acts between family or household members or dating partners or by a family or household member or dating partner upon a minor child of a family or household member or dating partner:

A. Attempting to cause or causing bodily injury or offensive physical contact, including sexual assaults under Title 17-A, chapter 11, except that contact as described in Title 17-A, section 106, subsection 1 is excluded from this definition; [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

B. Attempting to place or placing another in fear of bodily injury through any course of conduct, including, but not limited to, threatening, harassing or tormenting behavior; [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

C. Compelling a person by force, threat of force or intimidation to engage in conduct from which the person has a right or privilege to abstain or to abstain from conduct in which the person has a right to engage; [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

D. Knowingly restricting substantially the movements of another person without that person's consent or other lawful authority by:

- (1) Removing that person from that person's residence, place of business or school;
- (2) Moving that person a substantial distance from the vicinity where that person was found; or
- (3) Confining that person for a substantial period either in the place where the restriction commences or in a place to which that person has been moved; [PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

E. Communicating to a person a threat to commit, or to cause to be committed, a crime of violence dangerous to human life against the person to whom the communication is made or another, and the natural and probable consequence of the threat, whether or not that consequence in fact occurs, is to place the person to whom the threat is communicated, or the person against whom the threat is made, in reasonable fear that the crime will be committed; [PL 2015, c. 410, Pt. B, §1 (AMD); PL 2015, c. 443, §9 (AMD).]

F. Repeatedly and without reasonable cause:

- (1) Following the plaintiff; or
- (2) Being at or in the vicinity of the plaintiff's home, school, business or place of employment; [PL 2017, c. 288, Pt. A, §17 (AMD).]

G. Engaging in the unauthorized dissemination of certain private images as prohibited pursuant to Title 17-A, section 511-A; or [PL 2017, c. 288, Pt. A, §18 (RPR).]

H. Engaging in aggravated sex trafficking or sex trafficking as described in Title 17-A, section 852 or 853, respectively. [PL 2017, c. 288, Pt. A, §19 (NEW).]

[PL 2017, c. 288, Pt. A, §§17-19 (AMD).]

**2. Adult.** "Adult" means a person 18 years of age or older or a person under 18 years of age who is emancipated pursuant to Title 15, section 3506-A.

[PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

**3. Court.** "Court" means a District Court and, with regard to section 4011, the tribal court of the Passamaquoddy Tribe or the Penobscot Nation.

[PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

**3-A. Dating partners.** "Dating partners" means individuals currently or formerly involved in dating each other, whether or not the individuals are or were sexual partners.

[PL 2007, c. 340, §3 (NEW).]

**3-B. Economic abuse.** "Economic abuse" means causing or attempting to cause an individual to be financially dependent by maintaining control over the individual's financial resources, including, but not limited to, unauthorized or coerced use of credit or property, withholding access to money or credit cards, forbidding attendance at school or employment, stealing from or defrauding of money or assets, exploiting the individual's resources for personal gain of the defendant or withholding physical resources such as food, clothing, necessary medications or shelter.

[PL 2019, c. 407, §3 (NEW).]

**4. (FUTURE CONFLICT: Text as amended by PL 2021, c. 567, §17) (FUTURE CONFLICT: Text repealed 1/01/23 by PL 2021, c. 647, Pt. A, §2 and affected by Pt. B, §65) Family or household members.** "Family or household members" means spouses or domestic partners or former spouses or former domestic partners, individuals presently or formerly living together as spouses, parents of the same child, adult household members related by consanguinity or affinity or minor children of a household member when the defendant is an adult household member and, for the purposes of Title 15, section 1023, subsection 4, paragraph B-1 and Title 15, section 1094-B, this chapter and Title 17-A, sections 15, 207-A, 208-D, 208-E, 208-F, 209-A, 210-B, 210-C, 211-A, 1802, 1804 and section 2301, subsection 1 only, includes individuals presently or formerly living together and individuals who are or were sexual partners. Holding oneself out to be a spouse is not necessary to constitute "living as spouses."

[PL 2021, c. 567, §17 (AMD).]

**5. Law enforcement agency.** "Law enforcement agency" means the State Police, a sheriff's department or a municipal police department.

[PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

**6. Mutual order of protection or restraint.** "Mutual order of protection or restraint" means an order that is granted to the defendant in an action under this chapter or the inclusion of language in an order granted to the plaintiff in an action under this chapter that restricts or limits the plaintiff's conduct with regard to the defendant absent the filing of a separate complaint by the defendant, service of the complaint and summons upon the plaintiff and a finding by the court that the plaintiff committed the abuse alleged in the complaint.

[PL 1995, c. 694, Pt. B, §2 (NEW); PL 1995, c. 694, Pt. E, §2 (AFF).]

**7. Social media.** "Social media" means an electronic medium or service through which users create, share and view user-generated content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, e-mail, online service accounts and Internet website profiles and locations.

[PL 2019, c. 176, §1 (NEW).]

#### SECTION HISTORY

PL 1995, c. 694, §B2 (NEW). PL 1995, c. 694, §E2 (AFF). PL 2003, c. 672, §16 (AMD). PL 2005, c. 265, §19 (AMD). PL 2007, c. 340, §§2, 3 (AMD). PL 2007, c. 518, §8 (AMD). PL 2011, c. 640, Pt. C, §1 (AMD). PL 2013, c. 478, §7 (AMD). PL 2015, c. 296, Pt. C, §24 (AMD).

PL 2015, c. 296, Pt. D, §1 (AFF). PL 2015, c. 410, Pt. B, §§1, 2 (AMD). PL 2015, c. 443, §§9, 10 (AMD). PL 2017, c. 288, Pt. A, §§17-19 (AMD). PL 2019, c. 113, Pt. C, §66 (AMD). PL 2019, c. 176, §1 (AMD). PL 2019, c. 407, §3 (AMD). PL 2019, c. 412, §7 (AMD). PL 2021, c. 567, §17 (AMD).

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