

**§32. Violations and penalties**

**1. Class E crime.** A person commits a Class E crime if that person:

A. Knowingly violates a provision of this Title for which no penalty has been provided; or [PL 1993, c. 473, §2 (NEW); PL 1993, c. 473, §46 (AFF).]

B. Knowingly displays or distributes political advertisements in or on state-owned or state-leased property.

This paragraph does not apply to acts on state highways or to displays on motor vehicles not owned by the State while temporarily parked in parking areas on land maintained by the State. This paragraph does not apply to acts in or on a state-owned or state-leased building for a period beginning 48 hours before and ending 48 hours after that building is used by a political party to conduct a political activity within the building. [PL 1993, c. 473, §2 (NEW); PL 1993, c. 473, §46 (AFF).]

[PL 1993, c. 473, §2 (NEW); PL 1993, c. 473, §46 (AFF).]

**2. Class D crime.** A person commits a Class D crime if that person:

A. Is a public official and knowingly fails or refuses to perform a duty required of that official under this Title. [PL 1993, c. 473, §2 (NEW); PL 1993, c. 473, §46 (AFF).]

[PL 1993, c. 473, §2 (NEW); PL 1993, c. 473, §46 (AFF).]

**3. Class C crime.** A person commits a Class C crime if that person misuses a state government computer system. For purposes of this subsection, a person is guilty of misuse of a state government computer system if that person knowingly uses a computer system operated by a state department or agency, the Judicial Department or the Legislature:

A. To prepare materials with the intent to expressly advocate, to those eligible to vote, for the election or defeat of any candidate for a federal office, a constitutional office or elective municipal, county or state office, including leadership positions in the State Senate and the State House of Representatives; or [PL 2003, c. 176, §3 (NEW).]

B. With the intent to solicit contributions reportable under chapter 13. [PL 2003, c. 176, §3 (NEW).]

For purposes of this subsection, "computer system" has the same meaning as in Title 17-A, section 431 and "leadership positions" means the presiding officers of each House of the Legislature, party leaders, the Clerk of the House, the Assistant Clerk of the House, the Secretary of the Senate and the Assistant Secretary of the Senate.

This subsection may not be construed to prohibit a public employer from deducting dues or other funds from an employee's pay, as authorized by the employee and provided through a collective bargaining agreement, and remitting those funds to an account or fund owned by the employee's collective bargaining agent, even if the funds might be used for political or legislative purposes.

[PL 2009, c. 144, §1 (AMD).]

**SECTION HISTORY**

PL 1993, c. 473, §2 (NEW). PL 1993, c. 473, §46 (AFF). PL 2003, c. 176, §3 (AMD). PL 2009, c. 144, §1 (AMD).

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