CHAPTER 193

STATE BUREAU OF IDENTIFICATION

§1541. Commanding officer

1. Appointment. The Chief of the State Police shall appoint a person who has knowledge of the various standard identification systems and Maine court procedure to be commanding officer of the State Bureau of Identification, heretofore established within the Bureau of State Police.
[PL 1975, c. 763, §4 (NEW).]

2. Personnel. The Chief of the State Police may delegate members of the State Police to serve in the State Bureau of Identification upon request of the commanding officer. The commanding officer may hire civilian personnel, subject to the Civil Service Law and the approval of the Chief of the State Police, as the commanding officer considers necessary.
[RR 2023, c. 1, Pt. C, §44 (COR).]

3. Cooperation with other bureaus. The commanding officer shall cooperate with similar bureaus in other states and with the national bureau in the Department of Justice in Washington, D. C. and he shall develop and carry on an interstate, national and international system of identification.

A. Notwithstanding chapter 199, the commanding officer shall ensure that the fingerprints and descriptive information of any person that have been submitted to the Federal Bureau of Investigation for the purpose of conducting a criminal history record check for noncriminal justice purposes through the interstate identification index system, as defined in section 1703, subsection 12, are not retained by the Federal Bureau of Investigation, are used solely for the purpose of providing a response to the record check and are not disseminated prior to destruction. The commanding officer shall immediately report any retention or dissemination by the Federal Bureau of Investigation of the fingerprints or descriptive information of any person to the joint standing committee of the Legislature having jurisdiction over criminal justice matters, and upon the receipt of such a report, that committee shall meet to consider renunciation, pursuant to section 1710, of the State's participation in the National Crime Prevention and Privacy Compact, chapter 199. [PL 2001, c. 372, §1 (NEW).]

B. Notwithstanding chapter 199, the fingerprints and descriptive information of any person that have been submitted to the Federal Bureau of Investigation for the purpose of conducting a criminal history record check for noncriminal justice purposes through the interstate identification index system, as defined in section 1703, subsection 12, are not a criminal history record, as defined by section 1703, subsection 5, or criminal history record information, as defined by Title 16, section 703, subsection 3, and such submittal is not an activity related to criminal justice, as defined by section 1703, subsection 6, or the administration of criminal justice, as defined by Title 16, section 703, subsection 1. [PL 2013, c. 267, Pt. B, §21 (AMD).]

C. The commanding officer shall report to the Federal Bureau of Investigation, National Instant Criminal Background Check System a court's finding, upon the commanding officer's receipt of an abstract from a court that a person has been:

(1) Committed involuntarily to a hospital pursuant to an order of the District Court under Title 34-B, section 3864 because the person was found to present a likelihood of serious harm, as defined under Title 34-B, section 3801, subsection 4-A, paragraphs A to D;

(2) Found not criminally responsible by reason of insanity with respect to a criminal charge; or

(3) Found not competent to stand trial with respect to a criminal charge.

The commanding officer may adopt rules to implement the requirements of this paragraph. Rules adopted pursuant to this paragraph are routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A. [PL 2009, c. 651, §2 (AMD).]

[PL 2013, c. 267, Pt. B, §21 (AMD).]

4. Rules and regulations. The commanding officer shall make and forward to all persons charged with any duty or responsibility under this section and sections 1542-A, 1544, 1547 and 1549 rules, regulations and forms for the taking, filing, preserving and distributing of fingerprints and other juvenile crime and criminal history record information as provided in this chapter. Before becoming effective, such rules, regulations and forms are to be approved by the Attorney General.

[PL 1999, c. 260, Pt. B, §1 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

4-A. Responsibility for the collection and maintenance of criminal history record information and juvenile crime information. The commanding officer shall collect and maintain:

A. Fingerprints and other criminal history record information pertinent to the identification of individuals who have been arrested as fugitives from justice or who have been arrested or charged with any criminal offense under the laws of this State except a violation of Title 12 or 29-A that is a Class D or E crime other than an alcohol-related or drug-related offense. For purposes of this paragraph, an "alcohol-related or drug-related offense" is a Class D crime that involves hunting while under the influence of intoxicating liquor or drugs or with an excessive alcohol level or the operation or attempted operation of a motorcraft, all-terrain vehicle, snowmobile or motor vehicle while under the influence of intoxicating liquor or drugs or with an excessive alcohol level. The commanding officer may collect and maintain fingerprints and other criminal history record information that may be related to other criminal offenses or to the performance of the commanding officer's obligations under state laws and under agreements with agencies of the United States or any other jurisdiction; and [PL 2009, c. 447, §23 (AMD).]

B. Fingerprints and other juvenile crime information pertinent to the identification of individuals who have been taken into custody for juvenile crimes under a uniform interstate compact on juveniles or who have been arrested or charged with juvenile crimes under the laws of this State. The commanding officer may collect and maintain fingerprints and other juvenile crime information that may be related to other juvenile crimes or to the performance of the commanding officer's obligations under state laws and under agreements with agencies of the United States or any other jurisdiction. [PL 1999, c. 260, Pt. B, §2 (NEW); PL 1999, c. 260, Pt. B, §18 (AFF).]

For purposes of this subsection, "laws of this State" includes Passamaquoddy tribal law as described in Title 30, section 6209-A, subsections 1-A and 2 and Penobscot tribal law as described in Title 30, section 6209-B, subsections 1-A and 2.

[PL 2019, c. 621, Pt. E, §2 (AMD).]

5. Apparatus and materials. The Chief of the State Police shall supply such bureau with the necessary apparatus and materials for collecting, filing, preserving and distributing criminal history record information.

[PL 1975, c. 763, §4 (NEW).]

6. Establishment of fees. The State Bureau of Identification may charge a fee to individuals, nongovernmental organizations, governmental organizations that are engaged in licensing and governmental organizations that are not a governmental entity of the State, a county of the State or a municipality of the State for each criminal history record check requested for noncriminal justice purposes pursuant to Title 16, chapter 7. The requestor shall provide a name and date of birth for each record being requested. A request made pursuant to 5 United States Code, Section 9101 must be accompanied by fingerprints. A governmental organization that is engaged in licensing may charge an applicant for the cost of the criminal history record check. The commissioner shall establish a schedule of fees that covers the cost of providing these services. One dollar of each fee generated under this

subsection must be deposited to the Other Special Revenue Funds account within the Bureau of State Police to offset the cost of maintenance and replacement of both hardware and software associated with the criminal history record check system. The remaining revenues generated from these fees must be credited to the General Fund.

Notwithstanding any other provision of law, the full fee charged for fingerprint-supported criminal history record checks fees as collected pursuant to Title 20-A, section 6103, subsection 3-A must be deposited in the State Police program, Other Special Revenue Funds account for the purpose of funding the costs of the Department of Public Safety to administer the criminal history record check program. Notwithstanding any provision of law, all fees associated with any criminal history record check requirements established after July 1, 2015 must be deposited in a dedicated revenue account for the purposes of paying costs incurred by the Department of Public Safety, State Bureau of Identification to conduct such checks.
[PL 2015, c. 267, Pt. SSS, §4 (AMD).]

7. Fees to obtain fingerprints for noncriminal justice background checks. Unless otherwise provided by law, an applicant shall pay a one-time processing fee of $25 to the Department of Public Safety to offset the expenses incurred by the department to obtain fingerprints to be used for conducting state and national criminal history record checks for noncriminal justice purposes when the State Bureau of Identification is required to retain the fingerprints.
[PL 1999, c. 110, §3 (NEW).]

8. Carrying balance. Any unencumbered balance from funds appropriated from the General Fund to accomplish the purpose of Title 20-A, section 6103 may not lapse but must be carried forward to be used for the same purpose.
[PL 1999, c. 791, §6 (NEW).]

9. Compact council rules. The commanding officer shall cause a copy of any rule or procedure adopted by the compact council established under section 1707 that governs the use of the interstate identification index system, as defined in section 1703, subsection 12, to be provided to the joint standing committee of the Legislature having jurisdiction over criminal justice matters.
[PL 2001, c. 372, §2 (NEW).]

SECTION HISTORY

PL 1971, c. 592, §37 (AMD). PL 1975, c. 763, §4 (RPR). PL 1985, c. 785, §B110 (AMD). PL 1987, c. 421 (AMD). PL 1987, c. 512, §1 (AMD). PL 1995, c. 65, §A73 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1999, c. 110, §3 (AMD). PL 1999, c. 260, §§B1,2 (AMD). PL 1999, c. 260, §B18 (AFF). PL 1999, c. 401, §W1 (AMD). PL 1999, c. 791, §6 (AMD). PL 2001, c. 372, §§1,2 (AMD). PL 2001, c. 552, §1 (AMD). PL 2003, c. 20, §R8 (AMD). PL 2003, c. 451, §S1 (AMD). PL 2007, c. 539, Pt. PPP, §1 (AMD). PL 2007, c. 670, §16 (AMD). PL 2009, c. 447, §23 (AMD). PL 2009, c. 651, §2 (AMD). PL 2013, c. 267, Pt. B, §§21, 22 (AMD). PL 2015, c. 267, Pt. SSS, §4 (AMD). PL 2019, c. 621, Pt. E, §2 (AMD). RR 2023, c. 1, Pt. C, §44 (COR).

§1542. Recording of fingerprints; photographs; palm prints

(REPEALED)

SECTION HISTORY

PL 1975, c. 763, §5 (RPR). PL 1981, c. 493, §2 (AMD). PL 1987, c. 512, §2 (RP).

§1542-A. Appointment

1. Duty to take fingerprints. The law enforcement agency designated in subsection 3 shall take the fingerprints of any person:

A. Charged with the commission of a criminal offense except a violation of Title 12 or 29-A that is a Class D or E crime other than an alcohol-related or drug-related offense, as defined in section

1541, subsection 4-A, paragraph A; [PL 1999, c. 260, Pt. B, §3 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

B. Arrested as a fugitive from justice or taken into custody for a juvenile crime pursuant to a uniform interstate compact on juveniles; [PL 1999, c. 260, Pt. B, §4 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

C. Named on a search warrant which directs that such person's fingerprints be taken; [PL 1987, c. 512, §3 (NEW).]

D. Named in a Maine Rules of Unified Criminal Procedure 16A order that directs that such person's fingerprints be taken; [PL 2015, c. 431, §45 (AMD).]

E. Who dies under circumstances of death constituting a medical examiner case under Title 22, section 3025, if sought pursuant to Title 22, section 3028, subsection 3 or at the request of the Chief Medical Examiner or the Attorney General; [PL 1999, c. 790, Pt. A, §30 (RPR).]

F. Whose fingerprints have been ordered by a court; [PL 1999, c. 260, Pt. B, §6 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

G. Who is a teacher or educational personnel applicant subject to Title 20-A, section 6103; [PL 2001, c. 52, §4 (AMD).]

H. Charged with the commission of a juvenile crime; [PL 2013, c. 546, §1 (AMD).]

I. Who is a prospective adoptive parent not the biological parent as required under Title 18-C, section 9-304, subsection 1; [PL 2017, c. 402, Pt. C, §77 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

J. Who is an affected person, as defined in Title 36, section 194-D, subsection 1, paragraph A, and whose fingerprints have been required by the State Tax Assessor pursuant to Title 36, section 194-D; [PL 2019, c. 343, Pt. G, §1 (AMD).]

K. [PL 2019, c. 343, Pt. G, §2 (RP).]

L. [PL 2019, c. 343, Pt. G, §3 (RP).]

M. Who has applied for a guide license under Title 12, section 12853; [PL 2017, c. 457, §11 (RPR).]

N. Who is licensed under Title 32, chapter 48 and has applied for an expedited license under Title 32, section 18506; [PL 2017, c. 457, §12 (AMD).]

O. Who is required to submit to a criminal history record check pursuant to Title 28-B, section 204. [PL 2017, c. 409, Pt. B, §11 (NEW).]

P. Who is licensed under Title 32, chapter 36 and has applied for an expedited license under Title 32, section 18506; [PL 2019, c. 399, §2 (RPR); PL 2019, c. 402, §2 (RPR).]

REVISOR'S NOTE: (Paragraph P as enacted by PL 2017, c. 452, §25 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 1, PARAGRAPH S)

Q. Who is an applicant for licensure with the State Board of Nursing as required under Title 32, section 2111, subsection 1; [PL 2019, c. 343, Pt. G, §5 (AMD); PL 2019, c. 399, §3 (AMD); PL 2019, c. 402, §3 (AMD); PL 2019, c. 416, §3 (AMD).]

R. Who is required to have a criminal background check under Title 22, section 8302-A or 8302-B. [PL 2021, c. 293, Pt. A, §30 (RPR).]

S. **(REALLOCATED FROM T. 25, §1542-A, sub-§1, ¶P)** Who is required to have a criminal history record check under Title 22, section 2425-A, subsection 3-A. [PL 2021, c. 293, Pt. A, §31 (RPR).]

T. Who is required to have a criminal history record check under Title 22, section 8110. [PL 2021, c. 293, Pt. A, §32 (RPR).]

U. Who is an affected person, as defined in Title 26, section 1085, subsection 1, paragraph A, whose fingerprints have been required by the department pursuant to Title 26, section 1085. [PL 2019, c. 644, §1 (NEW).]

REVISOR'S NOTE: (Paragraph U as enacted by PL 2019, c. 616, Pt. S, §2 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 1, PARAGRAPH X)

V. Who is employed or may be offered employment by the Office of the State Auditor as required under Title 5, section 247. [PL 2021, c. 293, Pt. A, §34 (NEW).]

REVISOR'S NOTE: (Paragraph V as enacted by PL 2021, c. 400, §2 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 1, PARAGRAPH Y)

W. Who is required to have a criminal history record check under Title 19-A, section 2111. [PL 2021, c. 293, Pt. A, §35 (NEW).]

X. **(REALLOCATED FROM T. 25, §1542-A, sub-§1, ¶U)** Who is required to have a criminal history record check under Title 5, section 1986. [PL 2019, c. 616, Pt. S, §2 (NEW); PL 2021, c. 293, Pt. A, §33 (RAL).]

Y. **(REALLOCATED FROM T. 25, §1542-A, sub-§1, ¶V)** Who is required to have a criminal history record check under Title 22, section 5307. [PL 2021, c. 400, §2 (NEW); RR 2021, c. 1, Pt. A, §24 (RAL).]

Z. Who is required to have a criminal history record check under Title 8, section 1204. [PL 2021, c. 681, Pt. J, §8 (NEW).]

AA. Who is an applicant for licensure as a psychologist with the State Board of Examiners of Psychologists as required under Title 32, section 3833-B. [PL 2023, c. 506, §1 (NEW).]

BB. Who is an applicant for licensure as a physical therapist or a physical therapist assistant with the Board of Examiners in Physical Therapy as required under Title 32, section 3114-D. [PL 2023, c. 506, §2 (NEW).]

CC. Who is an applicant for licensure as an occupational therapist or an occupational therapy assistant with the Board of Occupational Therapy Practice, or who is a licensed occupational therapist or a licensed occupational therapy assistant seeking a compact privilege, as required under Title 32, section 2279-A. [PL 2025, c. 366, §1 (NEW).]

DD. Who is an applicant for licensure as a physician associate with the Board of Osteopathic Licensure, or who is a licensed physician associate seeking a compact privilege, as required under Title 32, section 2594-G. [PL 2025, c. 366, §2 (NEW); PL 2025, c. 316, §3 (REV).]

EE. Who is an applicant for licensure as a physician associate with the Board of Licensure in Medicine, or who is a licensed physician associate seeking a compact privilege, as required under Title 32, section 3270-H. [PL 2025, c. 366, §3 (NEW); PL 2025, c. 316, §3 (REV).]

FF. Who is an applicant for a multistate license with the State Board of Social Worker Licensure, as required under Title 32, section 7052-A. [PL 2025, c. 366, §4 (NEW).]

GG. Who is an applicant for licensure as a clinical professional counselor or a marriage and family therapist with the Board of Counseling Professionals Licensure, or who is a licensed clinical professional counselor or licensed marriage and family therapist seeking a compact privilege, as required under Title 32, section 13858-A. [PL 2025, c. 366, §5 (NEW).]

HH. Who is an applicant for licensure as an audiologist or a speech-language pathologist with the Board of Speech, Audiology and Hearing, or who is a licensed audiologist or licensed speech-

language pathologist seeking a compact privilege, as required under Title 32, section 17301-A. [PL 2025, c. 366, §6 (NEW).]

II. Who is an applicant for licensure as a dentist or a dental hygienist with the Board of Dental Practice, or who is a licensed dentist or licensed dental hygienist seeking a compact privilege, as required under Title 32, section 18341-A. [PL 2025, c. 366, §7 (NEW).]

[PL 2025, c. 366, §§1-7 (AMD); PL 2025, c. 316, §3 (REV).]

2. Palm prints, footprints and photographs. Whenever fingerprints are to be taken pursuant to subsection 1, paragraph A, B or G, palm prints, footprints and photographs may also be taken. Whenever palm prints, footprints or photographs are ordered to be obtained pursuant to subsection 1, paragraph C, D or F or are sought pursuant to paragraph E, the palm prints, footprints or photographs must be taken.

[PL 1999, c. 260, Pt. B, §9 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

3. Duty to take fingerprints. The duty to take fingerprints is imposed as follows.

A. The law enforcement agency having primary responsibility for the criminal investigation and prosecution shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph A. If the offender is subjected to a custodial arrest, fingerprints must be taken prior to that person's being released from custody. If the offender is summonsed to appear or, relative to a Class D or Class E crime, released at the scene by a law enforcement officer who has taken the personal recognizance of any such person for the person's appearance, fingerprints must be taken within 5 days at a time and place specified by the responsible agency. The offender shall appear at the specified time and place and shall submit to the process. To the extent possible, the fingerprinting must occur prior to arraignment. At the time of arraignment, the state court or tribal court shall inquire as to whether fingerprints have been taken or as to whether arrangements have been made for fingerprinting. If this has not occurred, the state court or tribal court shall instruct both the responsible law enforcement agency and the person charged as to their respective obligations in this regard. [PL 2019, c. 621, Pt. E, §3 (AMD).]

B. The law enforcement agency that arrests a fugitive from justice or takes a person into custody for a juvenile crime pursuant to a uniform interstate compact on juveniles shall take or cause to be taken the fingerprints of that person. [PL 1999, c. 260, Pt. B, §10 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

C. The law enforcement agency having primary responsibility for the criminal investigation and prosecution shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph D. [PL 1987, c. 512, §3 (NEW).]

D. The law enforcement agency or individual identified in the warrant or order shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph C or F. [PL 1987, c. 512, §3 (NEW).]

E. The law enforcement agency of which the request is made shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph E. [PL 1987, c. 512, §3 (NEW).]

F. The Maine State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph G, at the request of that person and upon payment of the expenses specified under Title 20-A, section 6103, subsection 3-A. [PL 2005, c. 457, Pt. CC, §5 (AMD).]

G. The law enforcement agency that has primary responsibility for the investigation and prosecution of the juvenile offense shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph H. If the juvenile is arrested, fingerprints must be taken prior to that person's being released from custody. If a juvenile court proceeding is commenced against a person without a juvenile arrest having been made, fingerprints must be taken within 5 days of the filing of the petition at a time and place specified by the responsible agency after consulting with

the juvenile community corrections officer. The juvenile shall appear at the specified time and place and shall submit to the process. [PL 2001, c. 667, Pt. A, §44 (AMD).]

H. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph I, at the request of that person and upon payment of the expenses specified under Title 18-C, section 9-304, subsection 1, paragraph B, subparagraph (3). [PL 2017, c. 402, Pt. C, §78 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

I. Trained personnel of the Department of Public Safety, Gambling Control Board shall take fingerprints of a person seeking licensure under Title 8, chapter 31. [PL 2005, c. 663, §14 (NEW).]

J. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph J, at the request of that person and upon payment of the expenses by the Department of Administrative and Financial Services, Bureau of Revenue Services as specified under Title 36, section 194-D, subsection 3. [PL 2019, c. 343, Pt. G, §6 (AMD).]

K. [PL 2019, c. 343, Pt. G, §7 (RP).]

L. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph M at the request of that person and upon payment of the expenses by that person as required by Title 12, section 12853, subsection 4-A, paragraph B. [PL 2017, c. 457, §14 (RPR).]

M. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph N at the request of that person and upon payment of the expenses by that person as required by Title 32, section 3275-A. [PL 2017, c. 253, §3 (NEW).]

N. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph O at the request of that person and upon payment of the expenses by that person as provided under Title 28-B, section 204. [PL 2017, c. 409, Pt. B, §12 (NEW).]

O. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph P at the request of that person and upon payment of the expenses by that person as required by Title 32, section 2571-A. [PL 2021, c. 293, Pt. A, §36 (RPR).]

P. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph Q at the request of that person and upon payment by the person of the fee established in Title 32, section 2111, subsection 1. [PL 2017, c. 457, §15 (NEW).]

Q. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph R at the request of that person or the Department of Health and Human Services under Title 22, section 8302-A or 8302-B. [PL 2017, c. 457, §15 (NEW).]

R. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph S at the request of that person or the Department of Administrative and Financial Services under Title 22, section 2425-A, subsection 3-A. [PL 2019, c. 343, Pt. G, §9 (NEW); PL 2019, c. 399, §6 (NEW); PL 2019, c. 402, §6 (NEW); PL 2019, c. 416, §6 (NEW).]

S. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph T at the request of that person or the Department of Health and Human Services pursuant to Title 22, section 8110. [PL 2021, c. 293, Pt. A, §37 (RPR).]

T. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph U at the request of that person and upon payment of the expenses by the Department of Labor, Bureau of Unemployment Compensation as specified under Title 26, section 1085, subsection 3. [PL 2021, c. 293, Pt. A, §38 (RPR).]

U. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph V at the request of that person or the Office of the State Auditor and upon payment by the Office of the State Auditor of the fee established in Title 5, section 247, subsection 3. [PL 2021, c. 293, Pt. A, §39 (NEW).]

REVISOR'S NOTE: (Paragraph U as enacted by PL 2021, c. 400, §3 is REALLOCATED TO TITLE 25, SECTION 1542-A, SUBSECTION 3, PARAGRAPH X)

V. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph W at the request of that person or the Department of Health and Human Services pursuant to Title 19-A, section 2111. [PL 2021, c. 293, Pt. A, §40 (NEW).]

W. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph X at the request of that person or the Department of Administrative and Financial Services, Office of Information Technology and upon payment of the fee as provided under Title 5, section 1986. [PL 2021, c. 293, Pt. A, §41 (NEW).]

X. **(REALLOCATED FROM T. 25, §1542-A, sub-§3, ¶U)** The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph Y at the request of that person or the Department of Health and Human Services pursuant to Title 22, section 5307. [PL 2021, c. 676, Pt. A, §43 (AMD).]

Y. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph Z at the request of that person or the director of the Gambling Control Unit within the Department of Public Safety and upon payment of the fee established by the director of the Gambling Control Unit pursuant to Title 8, section 1204, subsection 3. [PL 2021, c. 681, Pt. J, §9 (NEW).]

Z. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph AA at the request of that person or the State Board of Examiners of Psychologists and upon payment of the fee by that person as required by Title 32, section 3833-B. [PL 2023, c. 506, §3 (NEW).]

AA. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph BB at the request of that person or the Board of Examiners in Physical Therapy and upon payment of the fee by that person as required by Title 32, section 3114-D. [PL 2023, c. 506, §4 (NEW).]

BB. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph CC at the request of that person or the Board of Occupational Therapy Practice and upon payment of the fee by that person as required by Title 32, section 2279-A. [PL 2025, c. 366, §8 (NEW).]

CC. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph DD at the request of that person or the Board of Osteopathic Licensure and upon payment of the fee by that person as required by Title 32, section 2594-G. [PL 2025, c. 366, §9 (NEW).]

DD. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph EE at the request of that person or the Board of Licensure in Medicine and upon payment of the fee by that person as required by Title 32, section 3270-H. [PL 2025, c. 366, §10 (NEW).]

EE. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph FF at the request of that person or the State Board of Social Worker Licensure and upon payment of the fee by that person as required by Title 32, section 7052-A. [PL 2025, c. 366, §11 (NEW).]

FF. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph GG at the request of that person or the Board of Counseling Professionals Licensure and upon payment of the fee by that person as required by Title 32, section 13858-A. [PL 2025, c. 366, §12 (NEW).]

GG. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph HH at the request of that person or the Board of Speech, Audiology and Hearing and upon payment of the fee by that person as required by Title 32, section 17301-A. [PL 2025, c. 366, §13 (NEW).]

HH. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph II at the request of that person or the Board of Dental Practice and upon payment of the fee by that person as required by Title 32, section 18341-A. [PL 2025, c. 366, §14 (NEW).]

[PL 2025, c. 366, §§8-14 (AMD).]

4. Duty to submit to State Bureau of Identification. It is the duty of the law enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B and G to transmit immediately to the State Bureau of Identification the criminal fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless an express request is made by the commanding officer of the State Bureau of Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Education. The bureau may not use the fingerprints for any purpose other than that provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints, except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the court and the Department of Public Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection 1, paragraph J or S must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Administrative and Financial Services. Fingerprints taken pursuant to subsection 1, paragraph P must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Osteopathic Licensure, established in Title 32, chapter 36. Fingerprints taken pursuant to subsection 1, paragraph N must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Licensure in Medicine, established in Title 32, chapter 48. Fingerprints taken pursuant to subsection 1, paragraph Q must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the State Board of Nursing, established in Title 32, chapter 31. Fingerprints taken pursuant to subsection 1, paragraph O must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks under Title 28-B, section 204. Fingerprints taken pursuant to subsection 1, paragraph R, T or W must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Health and Human Services. Fingerprints taken pursuant to subsection 1, paragraph V must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Office of the State Auditor.

[PL 2021, c. 293, Pt. A, §42 (RPR).]

4-A. Duty to submit fingerprints to State Bureau of Identification; affected persons under Title 26, section 1085. Fingerprints taken pursuant to subsection 1, paragraph U must be transmitted

immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Labor.
[PL 2019, c. 644, §3 (NEW).]

5. Right to take fingerprints. A law enforcement officer designated in subsection 7 may take the fingerprints of any person:

A. [PL 1999, c. 260, Pt. B, §13 (RP); PL 1999, c. 260, Pt. B, §18 (AFF).]

B. Charged with the commission of a criminal offense found in Title 12 or 29-A that is a Class D or E crime but is not an alcohol-related or drug-related offense as defined in section 1541, subsection 4-A, paragraph A; [PL 1999, c. 260, Pt. B, §14 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

C. Who is in a state correctional facility or county institution or facility in execution of a sentence for a crime or in execution of an order involving an institutional disposition for a juvenile crime; or [PL 1987, c. 512, §3 (NEW).]

D. Who voluntarily submits to fingerprinting for any law enforcement purpose. [PL 1987, c. 512, §3 (NEW).]
[PL 1999, c. 260, Pt. B, §§13, 14 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

6. Palm prints, footprints and photographs. Whenever fingerprints are taken pursuant to subsection 5, paragraph B or C, palm prints, footprints and photographs may also be taken. In addition, palm prints, footprints or photographs may also be taken for any law enforcement purpose when a person voluntarily submits to them.
[PL 1999, c. 260, Pt. B, §15 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

7. Upon whom the right to take fingerprints is given. Any law enforcement officer may take or cause to be taken the fingerprints of any person named in subsection 5. Any corrections officer or the person in charge of a state correctional facility or county institution or facility may take or cause to be taken the fingerprints of any person named in subsection 5, paragraph C or D.
[PL 1987, c. 512, §3 (NEW).]

8. Fingerprint record forms. Fingerprints taken pursuant to subsection 1, paragraphs A, B as to a person arrested as a fugitive from justice and D and subsection 5, paragraphs B, C and D must be taken on a form furnished by the State Bureau of Identification, such form to be known as the Criminal Fingerprint Record. Fingerprints taken pursuant to subsection 1, paragraphs E, F and G must be taken on a form furnished by the bureau, such form to be known as the Noncriminal Fingerprint Record. Fingerprints taken pursuant to subsection 1, paragraphs B as to a person taken into custody for a juvenile crime pursuant to a uniform interstate compact on juveniles and H must be taken on a form furnished by the State Bureau of Identification, such form to be known as the Juvenile Crime Fingerprint Record. Fingerprints taken pursuant to subsection 1, paragraph C or F must be taken upon the form appropriate for that purpose.
[PL 1999, c. 260, Pt. B, §16 (AMD); PL 1999, c. 260, Pt. B, §18 (AFF).]

SECTION HISTORY

PL 1987, c. 512, §3 (NEW). PL 1991, c. 548, §A22 (AMD). PL 1995, c. 65, §§A74,75 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1999, c. 110, §§4-9 (AMD). PL 1999, c. 260, §§B3-16 (AMD). PL 1999, c. 260, §B18 (AFF). PL 1999, c. 790, §A30 (AMD). PL 1999, c. 791, §7 (AMD). PL 2001, c. 52, §§4-8 (AMD). PL 2001, c. 667, §A44 (AMD). PL 2005, c. 457, §CC5 (AMD). PL 2005, c. 663, §§14,15 (AMD). PL 2013, c. 546, §§1-5 (AMD). PL 2015, c. 300, Pt. B, §§1-5 (AMD). PL 2015, c. 431, §45 (AMD). PL 2017, c. 204, §§3-5 (AMD). PL 2017, c. 253, §§1-4 (AMD). PL 2017, c. 258, Pt. B, §§1-4 (AMD). PL 2017, c. 402, Pt. C, §§77, 78 (AMD). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2017, c. 409, Pt. B, §§11-13 (AMD). PL 2017, c. 452, §§25-27 (AMD). PL 2017, c. 457, §§10-16 (AMD). PL 2019, c. 343, Pt. G, §§1-10 (AMD). PL

2019, c. 399, §§2-7 (AMD). PL 2019, c. 402, §§2-7 (AMD). PL 2019, c. 416, §§2-8 (AMD). PL 2019, c. 417, Pt. B, §14 (AFF). PL 2019, c. 616, Pt. S, §§2, 3 (AMD). PL 2019, c. 621, Pt. E, §3 (AMD). PL 2019, c. 644, §§1-3 (AMD). PL 2021, c. 293, Pt. A, §§30-42 (AMD). PL 2021, c. 400, §§2, 3 (AMD). RR 2021, c. 1, Pt. A, §§24, 25 (COR). PL 2021, c. 676, Pt. A, §43 (AMD). PL 2021, c. 681, Pt. J, §§8, 9 (AMD). PL 2023, c. 506, §§1-4 (AMD). PL 2025, c. 316, §3 (REV). PL 2025, c. 366, §§1-14 (AMD).

§1543. Officers to furnish information

(REPEALED)

SECTION HISTORY

PL 1973, c. 707 (AMD). PL 1975, c. 763, §6 (RP).

§1544. Uniform crime reporting

It is the duty of all state, county, tribal and municipal law enforcement agencies, including those employees of the University of Maine System appointed to act as law enforcement officers, to submit to the State Bureau of Identification uniform crime reports, to include such information as is necessary to establish a Criminal Justice Information System and to enable the commanding officer to comply with section 1541, subsection 3. It is the duty of the bureau to prescribe the form, general content, time and manner of submission of such uniform crime reports. The bureau shall correlate the reports submitted to it and shall compile and submit to the Governor and Legislature annual reports based on such reports. The bureau shall furnish copies of such annual reports to all state, county, tribal and municipal law enforcement agencies. [PL 2019, c. 621, Pt. E, §4 (AMD).]

The bureau shall establish a category for abuse by adults of family or household members, a category for cruelty to animals, a category for crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation, gender identity or ethnicity and a category for unintentional and intentional firearm discharges that are supplementary to its other reported information. The bureau shall prescribe the information to be submitted in the same manner as for all other categories of the uniform crime reports. [PL 2021, c. 366, §30 (AMD); PL 2021, c. 369, §2 (AMD).]

SECTION HISTORY

PL 1975, c. 763, §7 (RPR). PL 1979, c. 578, §§6,7 (AMD). PL 1979, c. 677, §18 (AMD). PL 1983, c. 583, §26 (AMD). PL 1985, c. 779, §67 (AMD). PL 1987, c. 515, §3 (AMD). PL 1987, c. 695, §6 (AMD). PL 1991, c. 206, §1 (AMD). PL 1991, c. 206, §2 (AFF). PL 1997, c. 47, §1 (AMD). PL 2001, c. 399, §6 (AMD). PL 2019, c. 621, Pt. E, §4 (AMD). PL 2021, c. 366, §30 (AMD). PL 2021, c. 369, §2 (AMD).

§1545. Cooperation with local officials

(REPEALED)

SECTION HISTORY

PL 1975, c. 763, §8 (RP).

§1546. Rules and regulations

(REPEALED)

SECTION HISTORY

PL 1975, c. 763, §8 (RP).

§1547. Courts to submit criminal records to the State Bureau of Identification

At the conclusion of a juvenile court proceeding or at the conclusion of a prosecution for a criminal offense except a violation of Title 12 or Title 29-A that is a Class D or E crime other than a Class D

crime that involves hunting while under the influence of intoxicating liquor or drugs or with an excessive alcohol level or the operation or attempted operation of a watercraft, all-terrain vehicle, snowmobile or motor vehicle while under the influence of intoxicating liquor or drugs or with an excessive alcohol level, the court shall transmit to the State Bureau of Identification an abstract duly authorized on forms provided by the bureau. [PL 2009, c. 447, §24 (AMD).]

SECTION HISTORY

PL 1987, c. 281, §3 (RPR). PL 1995, c. 65, §A76 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1999, c. 260, §B17 (RPR). PL 1999, c. 260, §B18 (AFF). PL 2009, c. 447, §24 (AMD).

§1548. Fingerprinting of school children

(REPEALED)

SECTION HISTORY

PL 1973, c. 5 (RP).

§1549. Request for fingerprints; fee

The State Police, the sheriffs and the chiefs of police in each of the cities and towns may take or cause to be taken and, upon payment of a $3 fee, may take or cause to be taken the fingerprints or palm prints, or fingerprints and palm prints, of any person who requests that the person's fingerprints or palm prints, or fingerprints and palm prints, be taken. [PL 2001, c. 552, §2 (AMD).]

Such fingerprints and palm prints must be taken on a form provided by the requesting person or, if the person does not provide a form, upon the Noncriminal Fingerprint Record. Fingerprints, palm prints or demographic information taken or collected pursuant to this section, or copies thereof, may not be retained by the taker. The fingerprints, palm prints or demographic information must be forwarded to the State Bureau of Identification if required by statute or if the requestor requests that the fingerprints, palm prints or demographic information be forwarded to the State Bureau of Identification for the purpose of obtaining a criminal history record check. [PL 2001, c. 552, §2 (AMD).]

SECTION HISTORY

PL 1973, c. 788, §109 (AMD). PL 1975, c. 763, §9 (RPR). PL 1975, c. 771, §264 (AMD). PL 1977, c. 78, §159 (RPR). PL 1993, c. 235, §1 (AMD). PL 2001, c. 552, §2 (AMD).

§1550. Violations

Any person who fails to comply with the provisions of section 1542-A, subsection 1 or 3, or with the provisions of section 1542-A, subsection 4, imposing a duty to transmit criminal fingerprint records to the State Bureau of Identification, or with the provisions of sections 1544, 1547 or 1549 commits a civil violation for which a fine of not more than $100 may be adjudged. [PL 2003, c. 510, Pt. B, §9 (AMD).]

SECTION HISTORY

PL 1975, c. 763, §10 (NEW). PL 2003, c. 510, §B9 (AMD).

§1551. Report regarding operating under the influence offenses

By April 1, 2020, and annually thereafter, the State Bureau of Identification shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters regarding the incidence of operating under the influence offenses pursuant to Title 29-A, section 2411. The report must include separate categories for offenses involving operating under the influence of alcohol, for offenses involving operating under the influence of intoxicating substances other than alcohol and for offenses involving operating under the influence of a combination of alcohol and other intoxicating substances. [PL 2019, c. 121, §1 (NEW).]

SECTION HISTORY

PL 2019, c. 121, §1 (NEW).

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