

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
H.P. 1406 - L.D. 1899

**An Act To Ensure Safe Entry and Access for People Seeking Health Care
and Other Constitutional Rights**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §4684-B, sub-§1, ¶B-1 is enacted to read:

B-1. "Medical safety zone" means an area extending 8 feet from the center of the entrance of a building in which patients receive health services.

Sec. 2. 5 MRSA §4684-B, sub-§2, as enacted by PL 1995, c. 417, §3, is amended to read:

2. ~~Violation~~ Intentional violation. It is a violation of this ~~section~~ subsection for any person, whether or not acting under color of law, to intentionally interfere or attempt to intentionally interfere with the exercise or enjoyment by any other person of rights secured by the United States Constitution or the laws of the United States or of rights secured by the Constitution of Maine or laws of the State by any of the following conduct:

- A. Engaging in the physical obstruction of a building;
- B. Making or causing repeated telephone calls to a person or a building, whether or not conversation ensues, with the intent to impede access to a person's or building's telephone lines or otherwise disrupt a person's or building's activities;
- C. Activating a device or exposing a substance that releases noxious and offensive odors within a building; or
- D. ~~After~~ During the posted hours of operating after having been ordered by a law enforcement officer to cease such noise, at any time after the order, intentionally making noise that can be heard within a building and with the further intent either:
 - (1) To jeopardize the health of persons receiving health services within the building; or
 - (2) To interfere with the safe and effective delivery of those services within the building.

Violation of this subsection is a Class E crime.

Sec. 3. 5 MRSA §4684-B, sub-§3 is enacted to read:

3. Knowing violation. It is a violation of this subsection for any person to knowingly enter into, remain in or create an obstruction in a medical safety zone during the posted hours of operation of the provider of a health service, with the following exceptions:

A. A person entering or leaving the building;

B. A person using the public sidewalk or street right-of-way adjacent to the building solely for the purpose of reaching a destination other than the building;

C. A law enforcement officer, firefighter, emergency medical services provider, employee of a construction company or a utility or employee of a public works department or other municipal service acting in the course of employment; or

D. An employee or agent of the health service or the operator of the building acting in the course of employment.

Violation of this subsection is a Class E crime.

Sec. 4. 5 MRSA §4684-B, sub-§4 is enacted to read:

4. Demarcation. At the request of the provider of a health service, a municipality shall mark the boundary of the medical safety zone for the building in which the provider of a health service operates by painting lines or placing temporary markers. The municipality shall mark the boundary not later than the 30th day after the date the municipality receives a request under this subsection. The provider of a health service shall post or cause to be posted at least one sign at the boundary of the medical safety zone that contains:

A. The following notice written in a clear and conspicuous manner: "HEALTH CARE FACILITY – NO STANDING IN THIS ZONE"; and

B. A reference to subsection 3.