

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Limit Liability for the Performance of Community Service**

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

**Sec. 1. 14 MRSA §158-B**, as enacted by PL 1997, c. 619, §1, is amended to read:

### **§ 158-B. Limited liability of certain entities including charitable institutions and organizations**

**1. Liability limited.** ~~A charitable organization~~The State, a county, a municipality, a school administrative district or other public entity, a charitable institution or other entity approved pursuant to Title 15, section 3301 or 3314 or pursuant to Title 17-A, section 1345 is not liable for a claim arising from death or injury to a person or damage to property caused by a juvenile or adult participating in a supervised work or service program, performing community service or providing restitution under Title 15, section 3301 or 3314 or under Title 17-A, section 1345, including a claim arising from death or injury to the juvenile or adult or damage to the adult's or juvenile's property.

**2. No effect on other liability or immunity.** Nothing in this section creates liability for any claim or waives any immunity otherwise available.

**3. Charitable institution defined.** For the purposes of this section, "charitable ~~organization~~institution" means any nonprofit institution or organization organized or incorporated in this State or having a principal place of business in this State that is exempt from federal income taxation under the United States Internal Revenue Code, Section 501(a) because the nonprofit organization is described in the United States Internal Revenue Code, Section 501(c)(3).

## **SUMMARY**

Current law limits the liability of charitable organizations for damages caused by a juvenile participating in a supervised work or service program or performing community service. This bill extends the limitation of liability to adults participating in such programs and clarifies that the limitation of liability extends to the State and its political subdivisions.