

§9103. Civil action for damages

A minor may bring a civil action against a person who violates section 9102 for injunctive relief, actual damages, compensatory damages, any combination of those remedies or any other appropriate relief. [PL 2025, c. 417, §2 (NEW).]

1. Attorney's fees and costs. A plaintiff who prevails in a civil action under this section is entitled to an award of attorney's fees and costs. [PL 2025, c. 417, §2 (NEW).]

2. Punitive damages. A plaintiff who proves by clear and convincing evidence that the doxing of a minor was committed with malice or motivated by the race, color, religion, ethnicity, national origin, citizenship status, sex, gender, sexual orientation, gender identity or expression, physical or mental health condition or disability of the minor or of a close relation of the minor is entitled to an award of punitive damages in addition to any other remedy. [PL 2025, c. 417, §2 (NEW).]

3. Defenses. It is a defense to a civil action brought pursuant to this section that a person disclosed personal identifying information of a minor for the sole purpose of:

A. Reporting conduct that was reasonably believed to be unlawful or to constitute a crime to a law enforcement officer or law enforcement agency; [PL 2025, c. 417, §2 (NEW).]

B. Publishing, disseminating or reporting conduct by a public official, law enforcement officer or law enforcement agency that was reasonably believed to be unlawful, to constitute a crime or to constitute an abuse of authority; or [PL 2025, c. 417, §2 (NEW).]

C. Engaging in lawful activity protected by the United States Constitution or the Constitution of Maine pertaining to speech, assembly, press or petition, including to address a matter of public concern. [PL 2025, c. 417, §2 (NEW).]

[PL 2025, c. 417, §2 (NEW).]

4. Minors as parties. A minor may be a party to an action under this chapter only when the minor has a representative through whom the action is brought or defended pursuant to the Maine Rules of Civil Procedure, Rule 17(b). [PL 2025, c. 417, §2 (NEW).]

SECTION HISTORY

PL 2025, c. 417, §2 (NEW).

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