

§733. Applicability**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)****(WHOLE SECTION TEXT EFFECTIVE 1/01/25)**

1. Goods or services. For the purposes of this section, "goods or services" does not include the creation, dissemination, exhibition or advertisement or similar promotion of a dramatic, literary, musical, political, journalistic or artistic work.

[PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

2. Cause of action asserted. Except as otherwise provided in subsection 3, this subchapter applies to a cause of action asserted in a civil action against a person based on the person's:

A. Communication in a legislative, executive, judicial, administrative or other governmental proceeding; [PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

B. Communication on an issue under consideration or review in a legislative, executive, judicial, administrative or other governmental proceeding; [PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

C. Exercise of the right of freedom of speech or of the press, the right to assemble or petition or the right of association, guaranteed by the United States Constitution or by the Constitution of Maine, on a matter of public concern; or [PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

D. Written or oral statement made in connection with a discrimination complaint pursuant to the Maine Human Rights Act or any written or oral statement made in connection with a complaint pursuant to Title 20-A, chapter 445 or the so-called Title IX provisions of the federal Education Amendments of 1972, Public Law 92-318. [PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

[PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

3. Exceptions. This subchapter does not apply to a cause of action asserted:

A. Against a governmental unit or an employee or agent of a governmental unit acting or purporting to act in an official capacity; [PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

B. By a governmental unit or an employee or agent of a governmental unit acting in an official capacity to enforce a law to protect against an imminent threat to public health or safety; or [PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

C. Against a person primarily engaged in the business of selling or leasing goods or services if the cause of action arises out of a communication related to the person's sale or lease of the goods or services. [PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

[PL 2023, c. 626, §2 (NEW); PL 2023, c. 626, §§3, 4, 7 (AFF).]

SECTION HISTORY

PL 2023, c. 626, §2 (NEW). PL 2023, c. 626, §§3, 4, 7 (AFF).

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