**CHAPTER 503**

**USE OF GENETIC INFORMATION FOR EMPLOYMENT PURPOSES**

**§19301. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1997, c. 677, §1 (NEW).]

**1. Genetic characteristic.**  "Genetic characteristic" means any inherited gene or chromosome, or alteration of a gene or chromosome, that is scientifically or medically believed to predispose an individual to a disease, disorder or syndrome or to be associated with a statistically significant increased risk of development of a disease, disorder or syndrome.

[PL 1997, c. 677, §1 (NEW).]

**2. Genetic information.**  "Genetic information" means the information concerning genes, gene products or inherited characteristics that may be obtained from an individual or family member.

[PL 1997, c. 677, §1 (NEW).]

**3. Genetic test.**  "Genetic test" means a test for determining the presence or absence of an inherited genetic characteristic in an individual, including tests of nucleic acids such as deoxyribonucleic acid, or DNA, ribonucleic acid, or RNA, or mitochondrial DNA, and tests of chromosomes or proteins in order to identify a predisposing genetic characteristic.

[PL 1997, c. 677, §1 (NEW).]

SECTION HISTORY

PL 1997, c. 677, §1 (NEW).

**§19302. Employment discrimination on the basis of genetic information or genetic testing**

**1. Discrimination prohibited.**  An employer may not fail or refuse to hire, discharge or otherwise discriminate against an employee or applicant for employment with respect to the compensation, terms or conditions of employment on the basis of genetic information concerning that individual or because of the individual's refusal to submit to a genetic test or make available the results of a genetic test or on the basis that the individual received a genetic test or genetic counseling, except when based on a bona fide occupational qualification.

[PL 1997, c. 677, §1 (NEW).]

**2. Enforcement; remedies.**  The Maine Human Rights Commission shall enforce this section. Violations of this section are subject to the remedies available under chapter 337, subchapters VI and VII.

[PL 1997, c. 677, §1 (NEW).]

SECTION HISTORY

PL 1997, c. 677, §1 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular Session and the First Special Session of the131st Maine Legislature and is current through November 1, 2023
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.