

§4103. Eligibility

The following persons are eligible to seek relief under this chapter: [PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

1. Adult. An adult:

A. Who has been a victim of abuse as defined in section 4102, subsection 1 by a family or household member, a dating partner or an individual related by consanguinity or affinity; or [PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

B. Who has been a victim of conduct:

- (1) Described as stalking in Title 17-A, section 210-A;
- (2) Constituting any crime described in Title 17-A, chapter 11;
- (3) Described as unauthorized dissemination of certain private images in Title 17-A, section 511-A;
- (4) Described as aggravated sex trafficking or sex trafficking in Title 17-A, section 852 or 853, respectively; or
- (5) Constituting a civil cause of action under Title 14, section 8305.

For purposes of this paragraph, the conduct need not have been perpetrated by a family or household member, a dating partner or an individual related by consanguinity or affinity; [PL 2023, c. 298, §3 (AMD).]
[PL 2023, c. 298, §3 (AMD).]

2. Minor child. A person responsible for a child, as defined in Title 22, section 4002, subsection 9, or a representative of the department when a minor child has been:

A. A victim of abuse as defined in section 4102, subsection 1 by a family or household member, a dating partner or an individual related by consanguinity or affinity; or [RR 2021, c. 2, Pt. A, §40 (COR).]

B. A victim of conduct:

- (1) Described as stalking in Title 17-A, section 210-A;
- (2) Constituting any crime described in Title 17-A, chapter 11;
- (3) Described as unauthorized dissemination of certain private images in Title 17-A, section 511-A;
- (4) Described as aggravated sex trafficking or sex trafficking in Title 17-A, section 852 or 853, respectively;
- (5) Described as sexual exploitation of a minor or dissemination of sexually explicit material in Title 17-A, section 282 or 283, respectively;
- (6) Described as harassment by telephone or by electronic communication device in Title 17-A, section 506, subsection 1, paragraph A-1 or A-2; or
- (7) Constituting a civil cause of action under Title 14, section 8305.

For purposes of this paragraph, the conduct need not have been perpetrated by a family or household member, a dating partner or an individual related by consanguinity or affinity; [PL 2023, c. 298, §§4-6 (AMD).]
[PL 2023, c. 298, §§4-6 (AMD).]

3. Older or dependent adult. An adult who meets the eligibility requirements in paragraphs A and B as follows:

A. The adult is one of the following:

- (1) Sixty years of age or older;
- (2) A dependent adult, as defined in Title 22, section 3472, subsection 6; or
- (3) An incapacitated adult, as defined in Title 22, section 3472, subsection 10; and [PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

B. The adult has been the victim of abuse as defined in section 4102, subsection 1, this chapter or Title 22, section 3472, subsection 1 by an extended family member or unpaid care provider. [PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

The adult victim, the adult victim's legal guardian or a representative of the department may seek relief.

For the purposes of this subsection, "extended family member" includes, but is not limited to, a person who is related to the victim by blood, marriage or adoption whether or not the person resides or has ever resided with the victim.

For the purposes of this subsection, "unpaid care provider" includes, but is not limited to, a caretaker who voluntarily provides full, intermittent or occasional personal care to the adult victim in the victim's home similar to the way a family member would provide personal care.

[PL 2021, c. 647, Pt. A, §3 (NEW); PL 2021, c. 647, Pt. B, §65 (AFF).]

SECTION HISTORY

PL 2021, c. 647, Pt. A, §3 (NEW). PL 2021, c. 647, Pt. B, §65 (AFF). RR 2021, c. 2, Pt. A, §40 (COR). PL 2023, c. 298, §§3-6 (AMD).

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 Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. 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.